RULE H
NEW SERVICE ATTACHMENTS AND DISTRIBUTION LINE INSTALLATIONS OR ALTERATIONS

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

1. Definitions

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

Allowance is the portion of a Work Order Cost's Terminal Facilities funded by the Company.

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

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

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

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

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

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

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

Easement is the Company's legal right to use the real property of another for the purpose of installing or locating electric facilities.

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

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

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(Continued)

1. Definitions (Continued)

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

Local Improvement District is an entity created by a local government in Oregon for the development of public improvement, consistent with Oregon Revised Statutes, Chapter 223 – Local Improvements and Works Generally.

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

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

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

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

Shared Terminal Facilities is when two or more existing Residential, General Service, or Irrigation Customers receive service from any portion of the same Terminal Facilities.

Standard Terminal Facilities are the overhead Terminal Facilities the Company considers to be most commonly installed for overhead single phase and three phase services. Single phase Standard Terminal Facilities include the cost of providing and installing one overhead #2 aluminum service conductor and one 25 kVA transformer. Three phase Standard Terminal Facilities include the cost of providing and installing one overhead #2 aluminum service conductor and three 15 kVA transformers.

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

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

Temporary Service Attachment is a Service Attachment to a customer provided temporary meter pole or post which typically furnishes electric service for construction for 18 calendar months or less in duration.

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

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

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1. Definitions (Continued)

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

Costs associated with unusual conditions are separately stated and are subject to refund if not encountered. If unusual conditions are not encountered, the Company will issue the appropriate refund within 30 days of completion of the project's reconciliation of costs.

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

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

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

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

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

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

Work Order Cost is a cost estimate performed by the Company for a specific request for service by an Applicant or Additional Applicant. The Work Order Cost will include general overheads related to the management of construction.

2. General Provisions

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

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

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2. General Provisions (Continued)

c. Rights-of-Way and Easements. The Company will construct, own, operate, and maintain lines only along public streets, roads, and highways that the Company has the legal right to occupy, and on public lands and private property across which rights-of-way or easements satisfactory to the Company will be obtained at the Applicant's or Additional Applicant's expense.

d. Removals. The Company reserves the right to remove any distribution facilities that have not been used for 1-year. Facilities shall be removed only after providing 60 days' written notice to the last customer of record and the owner of the property served.

e. Property Specifications. Applicants or Additional Applicants must provide the Company with final property specifications as required and approved by the appropriate governmental authorities. These specifications may include but are not limited to: recorded plat maps, utility easements, final construction grades, and property pins and proof of ownership.

f. Undeveloped Subdivisions. When electric service is not provided to the individual spaces or lots within a Subdivision, the Subdivision will be classified as undeveloped.

g. Mobile Home Courts. Owners of mobile home courts will install, own, operate, and maintain all termination poles, pedestals, meter loops, and conductors from the Point of Delivery.

h. Conditions for Start of Construction. Construction of Line Installations and/or Alterations will not be scheduled until the Applicant or Additional Applicant pays the appropriate charges to the Company.

i. Terms of Payment. All payments listed under this section will be paid to the Company in cash, a minimum of 30 days and no more than 120 days prior to the start of Company construction, unless mutually agreed otherwise.

j. Interest on Payment. If the Company does not start construction on a Line Installation or Alteration within 30 days after receipt of the construction payment, the Company will compute interest on the payment amount beginning on the 31st day and ending once Company construction actually begins. Interest will be computed at the rate applicable under the Company's Rule L. If this computation results in a value of $10.00 or more, the Company will pay such interest to the Applicant, Additional Applicant, or subdivider. An Applicant, Additional Applicant, or subdivider may request to delay the start of construction beyond 30 days after receipt of payment in which case the Company will not compute or pay interest.

k. Fire Protection Facilities. The Company will provide service to Fire Protection Facilities when the Applicant pays the Work Order Cost for the Line Installation including Terminal Facilities, less Company Betterment. These costs are not subject to an Allowance, but are eligible for Vested Interest Refunds under Section 8.a.

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2. General Provisions (Continued)

l. Customer Provided Trench Digging and Backfill. The Company will at its discretion allow an Applicant, Additional Applicant or subdivider to provide trench digging and backfill. The Customer will sign a Memorandum of Agreement, detailing the work to be performed by the Customer and the specifications that must be met prior to the start of construction. The Applicant shall be responsible for the current and reasonable future costs associated with the Line Installation's conduit system, which may include, but is not limited to, the costs of trenching, boring, excavating, backfilling, ducts, raceways, road crossings, paving, vaults, transformer pads, and any required permits. The Company shall own and maintain the conduit system once Company conductors have been installed. In a joint trench, backfill must be provided by the Company. Costs of customer provided trench and backfill will be removed from or not included in the Cost Quote and will not be subject to refund.

3. Line Installation Charges

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

4. Service Attachment Charges.

a. Overhead Service Attachment Charge. If an overhead Service Attachment is required, the Applicant or Additional Applicant will pay a non-refundable Service Attachment Charge equal to the Work Order Cost less applicable Allowances identified in Section 7.

b. Underground Service Attachment Charge. Each Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge for attaching new Terminal Facilities to the Company's distribution system. The Company will determine the location and maximum length of service cable.

i. Single Phase 400 Amps or Less and Single Phase Self-Contained Multiple Meter Bases 500 Amps or Less

Underground Service Cable (Base charge plus Distance charge)

Base charge from:		
underground	$ 30.00	(I)
overhead including 2" riser	$ 965.00	(I)
overhead including 3" riser	$1,222.00	(I)
Distance charge (per foot)		
Company Installed Facilities with:		
1/0 underground cable	$ 14.58	
4/0 underground cable	$ 15.46	(R)
350 underground cable	$ 19.28	(R)
Customer Provided Trench & Conduit with:		
1/0 underground cable	$ 4.32	(I)
4/0 underground cable	$ 5.20	(I)
350 underground cable	$ 7.31	(I)

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4. Service Attachment Charges (Continued)

b. Underground Service Attachment Charge (Continued)

ii. All Three Phase, Single Phase Greater Than 400 Amps, and Single Phase Self-Contained Multiple Meter Bases Greater Than 500 Amps. If a three phase, single phase greater than 400 amp, or single phase self-contained multiple meter base greater than 500 amp underground Service Attachment is required, the Applicant or Additional Applicant will pay a non-refundable Underground Service Attachment Charge equal to the Work Order Cost.

5. Vested Interest Charges.

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

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

Vested Interest Charge = A x B x C where;

A = Load Ratio: Additional Applicant's Connected Load divided by the sum of Additional Applicant's Connected Load and Vested Interest Holder's load.
B = Distance Ratio: Additional Applicant's distance divided by original distance.
C = Vested Interest Holder's unrefunded contribution.

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

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

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

6. Other Charges

a. Alteration Charges. If an Applicant or Additional Applicant requests a Relocation, Upgrade, Conversion or removal of Company facilities, the Applicant or Additional Applicant will pay a non-refundable charge equal to the Cost Quote.

b. Engineering Charge. Applicants or Additional Applicants will be required to prepay all engineering costs for Line Installations, and/or Alterations greater than 16 estimated hours. Estimates equal to or less than 16 hours will be billed to the Applicant or Additional Applicant as part of the construction costs, or after the engineering is completed in instances where construction is not requested. Engineering charges will be calculated at $100.00 per hour. (I)

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6. Other Charges (Continued)

c. Joint Trench Charge. Applicants, Additional Applicants, and subdividers will pay the Company for trench and backfill costs included in the Cost Quote. In the event the Company is able to defray any of the trench and backfill costs by sharing a trench with other utilities, the cost reduction will be included in the Cost Quote.

d. Overhead Service Attachment Charge for Non-Residence. Applicants or Additional Applicants requesting service to a residential property (Schedules 1 and 5) for purposes other than serving a Residence will pay a service connection charge of $323.00. This charge only applies to non-residences (shop, garage, etc.) where there is an existing overhead transformer within 100' of the non-residence structure. (I)

e. Rights-of-Way and Easement Charge. Applicants or Additional Applicants will be responsible for any costs associated with the acquisition of rights-of-way or easements.

f. Temporary Line Installation Charge. Applicants or Additional Applicants will pay the installation and removal costs of providing Temporary Line Installations.

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

i. Underground - $78.00 (I)

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

ii. Overhead - $323.00 (I)

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

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

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

h. Temporary Service (Overhead or Underground), Overhead Permanent, and Customer Provided Trench Inspection Return Trip Charge. A Return Trip Charge of $78.00 will be assessed each time Company personnel are dispatched to the job site at the customer's request, but are unable to connect the service due to action or inaction on the Customer's part. The charge will be billed after the conditions have been satisfied and the connection has been made. (I)

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6. Other Charges (Continued)

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

In the event that the estimate of the Unusual Conditions included in the Cost Quote is equal to or greater than $10,000, the Applicant, Additional Applicant or subdivider may either pay for the Unusual Conditions or, at the option of the Company, may furnish an Irrevocable Letter of Credit drawn on a local bank or local branch office issued in the name of Idaho Power Company for the amount of the Unusual Conditions. Upon completion of that portion of the project which included an Unusual Conditions estimate, Idaho Power Company will bill the Applicant, Additional Applicant or subdivider for the amount of Unusual Conditions encountered up to the amount established in the Irrevocable Letter of Credit. The Applicant, Additional Applicant or subdivider will have 15 days from the issuance of the Unusual Conditions billing to make payment. If the Applicant, Additional Applicant or subdivider fails to pay the Unusual Conditions bill within 15 days, Idaho Power will request payment from the bank.

j. Underground Service Return Trip Charge. When a customer agrees to supply the trench, backfill, conduit, and compaction for an underground service, a Return Trip Charge of $130.00 will be assessed each time the Company's installation crew is dispatched to the job site at the customer's request, but is unable to complete the cable installation and energize the service due to action or inaction on the customer's part. (I)

7. Line Installation, Shared Terminal Facilities and Service Attachment Allowances

The Company will contribute an Allowance toward the cost of Terminal Facilities associated with an additional Line Installation and/or Service Attachment. If a Customer increases their consumptive load and is responsible for upgrading Shared Terminal Facilities, such Customer will receive an Allowance toward the cost of the upgraded Shared Terminal Facilities. Allowances are based on the cost of providing and installing Standard Terminal Facilities for single phase and three phase services.

a. Allowances for Overhead and Underground Line Installations, Shared Terminal Facilities and Overhead Service Attachments

Class of Service	Maximum Allowance per Service	
Residential:		
Schedules 1, 5	$3,567.00	(R)
Non-residence	$ 0.00	
Non-residential:		
Schedules 7, 9, 24		
Single Phase	$3,567.00	(R)
Three Phase	$8,481.00	(I)

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7. Line Installations and Service Attachment Allowances (Continued)

b. Allowances for Subdivisions and Multiple Occupancy Projects. Developers of Subdivisions and Multiple Occupancy Projects will receive a $3,567.00 Allowance for each single phase transformer installed within a development and a $8,481.00 Allowance for each three phase transformer installed within a development. Subdividers will be eligible to receive Allowances for Terminal Facilities installed inside residential and non-residential subdivisions. (R) (I)

8. Refunds

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

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

i. Vested Interest Refund Limitations

a) Vested Interest Refunds will be funded by no more than 4 Additional Applicants during the 5-year period following the completion date of the Line Installation for the initial Applicant.

b) In no circumstance will refunds exceed 100 percent of the refundable portion of any party's cash payment to the Company.

b. Subdivision Refunds

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

ii. A subdivider will be eligible for Vested Interest Refunds for payments for Line Installations outside the subdivision.

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9. Local Improvement Districts

Unless specifically provided for under this paragraph, a Local Improvement District will be provided service under the general terms of this rule.

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

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

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

10. Relocation or Removal of Facilities

a. Generally. Any relocation of facilities for a requesting party, including builders, developers, Customers or Customers' agents, that is for their convenience will be performed by the Company at the requesting party's expense. The Company may require payment in advance of a sum equal to the estimated original cost of installed facilities to be removed, less estimated salvage and less depreciation, plus estimated removal cost, plus any operating expense associated with the removal or relocation.

b. Public Works Project. Under the following circumstances, the cost for relocation or removal of facilities within the public right-of-way will be borne by the Company unless an ordinance, legislation or private agreement specifies other cost responsibilities:

i. The rearrangement can be identified to be for a public works project. Examples of public works projects include but are not limited to public transit or a road widening financed by public funds;

ii. Reasonable notice is provided to the Company;

iii. The overall project can generally be scheduled during normal work hours (excluding load transfers which may need to be performed outside of normal work hours); and

iv. The public works project does not require the Company to make temporary relocations.

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10. Relocation or Removal of Facilities (Continued)

c. Easement. Costs for permanently relocating facilities located on an easement will be borne by the requesting party regardless of status as public works or otherwise.

d. Permit Job. Where it can be identified that the requesting party has received a permit through a city or county for work within the public right-of-way that is required for the requesting party's construction project, the requesting party is responsible for all of the costs associated with the necessary rearrangement of facilities.

e. Relocation of Overhead or Underground Facilities at Company Expense. If the necessary work can be performed by Company crews in a single trip to the requesting party's Premises during scheduled crew hours, relocation or removal of overhead or underground service distribution facilities on or adjacent to the Premises will be performed at Company expense, under the circumstances listed below. For underground relocations, the requesting party is responsible for any necessary trenching, boring, backfilling, conduit, paving, vaults and pads.

i. Such facilities are idle or will be made idle by changes in the requesting party's electrical arrangement or needs, except in the case of conversion from overhead to underground service; or

ii. The location of such facilities in the street area deprive the requesting party of reasonable ingress to or egress from the Premises, provided such facilities are not on a property line or a property line extended; or

iii. Such facilities occupy space on the requesting party's Premises that will be used for an expansion of the requesting party's building or plant; or

iv. The purpose is to relocate a meter to a more accessible location approved by the Company; or

v. Relocation of a service drop is the only work requested. If a second trip is required, no charge is made if the trip can be scheduled when Company crews are normally available and at a time convenient to the Company or, if in the opinion of the Company, a definite improvement in routing or attachment of the service wire will result. In all other circumstances the requesting party shall be charged the cost incurred by the Company to make the second trip.

f. Temporary Relocations. Where the Company is required to temporarily move its facilities either because the Company cannot move its facilities to the new permanent placement or the facilities will be returned to their former location at a later point in time, the costs of the temporary relocation will be borne by the requesting party regardless of status as public works or otherwise. A temporary relocation is defined as any relocation where the Company must move its facilities two or more times within a three-year period.

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11. Conversion from Overhead to Underground Service

a. General. The Company will replace overhead facilities with underground facilities whenever such conversion is practicable and economically feasible. Customers connected by overhead distribution facilities owned by the Company that desire underground service shall comply with applicable provisions of this rule.

b. Payment for Service Changes. The party requesting conversion from overhead to underground shall pay the Company, prior to conversion, the original cost, less depreciation, less salvage value, plus removal expense of any existing overhead facilities no longer used or useful by reason of said underground system, and the costs of any necessary rearrangements, modifications, and additions to existing facilities to accommodate the conversion of facilities from overhead to underground.

c. Special Conditions. The conversion of overhead to underground facilities affecting more than one Customer shall be conditioned on the following:

i. The governing body of the city or county in which the Company's facilities are located shall have adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located, providing:

a) All existing overhead communication equipment and distribution facilities in such district are removed;

b) Each Customer served from such electric overhead facilities shall, in accordance with the Company's rules for underground service, make all necessary electrical facility changes on said Customer's Premises in order to receive service from the Company's underground facilities as soon as available; and

c) The Company is authorized to discontinue its overhead service on completion of the underground facilities.

ii. All Customers served from overhead facilities shall agree in writing to perform the wiring changes required on their Premises so that service may be furnished in accordance with the Company's rules regarding underground service. Such Customers must also authorize the Company to discontinue overhead service upon completion of the underground facilities.

iii. When the local government requires the Company to convert overhead facilities to underground at the Company's expense, the provisions of OAR 860-022-0046 shall apply.

iv. That portion of the overhead system that is placed underground shall not impair the utilization of the remaining overhead system.

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11. Conversion from Overhead to Underground Service (Continued)

d. Cost of Area Conversions. Area conversions may involve an allocation or assessment of costs and responsibilities among Customers. Such assessment and collection thereof will be the responsibility of a governmental unit or an association of those affected.

e. Cost of Additional Circuit Capacity. Where the Company installs an underground circuit with capacity in excess of the existing overhead, any additional cost to provide such excess circuit capacity will be at the Company's expense. Applicant cost responsibilities shall be as defined in Section 8.b. plus all reasonable costs for conduit or vault space installed to establish pathways for future circuit capacity.

12. Existing Agreements

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

If an Additional Applicant requires the installation of new or altered distribution facilities, the Additional Applicant will also be the Original Applicant for the new or altered distribution facilities. As the Original Applicant, the payment for such new or altered distribution facilities will be subject to the rule in effect at the time of the Additional Applicant's Application for new or altered distribution facilities is received and dated by the Company. Accordingly, an Additional Applicant can be simultaneously an Original Applicant with separate provisions for vested interest payments and refunds.

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