

Cancelling

**RECEIVED****JAN 26 1994**State of Alaska  
Public Utilities Commission**COPPER VALLEY ELECTRIC ASSOCIATION, INC.****11. RESALE OF ELECTRICITY (GRANDFATHERED)****11.1 Sale of Electricity for Resale**

- (a) A retail consumer shall not sell or otherwise provide electric service furnished by the Association. No service will be supplied through a master meter for submetering for resale.
- (b) Existing services where master meters were installed prior to January 1, 1987, and the operator-owner does not desire to convert to individual metering and individual account billing by the Association may continue to receive service as currently provided. All new services will comply with Section 9.5 and Section 9.7 as of the date adopted. The Association will not be obligated to provide direct service to any mobile home when a central delivery and a secondary system are provided.
- (c) This rule does not prohibit a consumer from furnishing unmetered electric service to rental units not required to be individually metered where the cost of electricity is included in the rental charge.

Tariff Advice No. 109Effective: March 11, 1994Issued by: Copper Valley Electric Association, Inc.By: *Clayton D. Dierkes*Title: General Manager

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Public Utilities Commission**COPPER VALLEY ELECTRIC ASSOCIATION, INC.****12. LIABILITY****12.1 For Interruption of Service**

The Association will make reasonable efforts to provide adequate and continuous electric service but does not and cannot guarantee adequate and continuous service. The Association shall have the right to temporarily suspend service for the purpose of making repairs or improvements to its facilities. In such cases, when practicable, advance public notice shall be given, and every effort will be made to make such interruptions as short as possible and at such times as will cause the least inconvenience to the customer.

**12.2 Interruption of Service by Power Supplier**

The Association puts all customers on notice that it purchases a substantial portion of its power. Contracts in effect provide that service may be suspended or curtailed because of causes or events beyond the control of the Association. If any of these events occur, the Association may be forced to suspend or curtail service.

**12.3 For Consumer's Equipment**

Neither by inspection nor nonrejection, nor in any other way, does the Association give any warranty, expressed or implied, as to the adequacy, safety, or other characteristics of any structures, equipment, wires, conduit, appliances, or devices owned, installed, or maintained by the consumer or leased by the consumer from third parties.

**12.4 Non-Liability For Consequential Damages**

The Association does not guarantee adequate and continuous electric service. This tariff does not create liability for injury, loss, or damage of any type or nature, including (without limitation) consequential damages, resulting from any failure or curtailment of electric service, nor shall such failure or curtailment constitute a breach of contract.

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**12. LIABILITY (CONT.)**

**12.5 Uncontrollable Force**

The Association puts all customers on notice that it purchases its power by contract, and part of that contract provides that service may be suspended or curtailed because of uncontrollable forces. Uncontrollable forces include, but are not limited to, any cause beyond the control of the Association and which by the exercise of due diligence that the Association is unable to prevent or overcome, including but not limited to an act of God, fire, flood, volcano, earthquake, explosion, sabotage, and act of public enemy, civil or military authority, including court orders, injunctions and orders of governmental agencies of competent jurisdiction, insurrection or riot, an act of the elements, failure of equipment, or the inability to obtain or ship equipment or materials because of the effect of similar causes on carriers or shippers. Strikes, lockouts, and other labor disturbances may be considered uncontrollable forces. If any of these events occur, service may be suspended or curtailed.

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Issued by: Copper Valley Electric Association, Inc.

By: *Robert J. Hulse*

Title: General Manager

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**13. SPECIAL SERVICE****13.1 Charges**

For services of this nature, the customer may be charged for the Association's actual cost, including labor, transportation, materials, indirect costs, and overhead.

All work done by the Association for customers, in addition to work during regular working hours associated with supplying electric service, may be charged for on the basis of costs and conditions as defined herein.

For certain special services, the Association has established fixed charges in the Schedule of Fees based upon representative average costs of such services.

**13.2 Nature of Services**

This section may include such special services as listed below:

- (a) Making temporary changes to accommodate the customer's wishes.
- (b) Account research as requested by the customer. (Example: for income tax purposes.)
- (c) Installation of temporary service.
- (d) Relocation or removal of Association-owned or jointly-owned poles, wire, or other facilities.
- (e) Making emergency repairs to customer's electrical equipment or repairing Association equipment damaged by customer or his contractor or agent.

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**13. SPECIAL SERVICE (CONT'D)**

**13.3 Service Upgrade**

At the request of the customer the Association will upgrade the customer's existing primary and/or secondary service to the point of delivery if the upgrade is required by the customer's additional load. Service upgrade may include, but is not limited to, the upgrading of poles, anchors, replacement of conductor, transformers, labor, and trenching. The cost of the service upgrade may be changed in whole or in part to the customer requesting the upgrade.

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By: *Rayton L. Sullivan* Title: General Manager