

P.S.C. KY. NO. 13

CANCELS P.S.C. KY. NO. 12

BIG RIVERS ELECTRIC CORPORATION

OF

HENDERSON, KENTUCKY

RATES, RULES AND REGULATIONS FOR FURNISHING

ELECTRIC SERVICE

AT

BRECKINRIDGE, CALDWELL, CRITTENDEN, DAVIESS, GRAYSON, HANCOCK, HARDIN,

HENDERSON, HOPKINS, LYON, MCLEAN, MEADE, MUHLENBERG, OHIO, UNION,

MCCRACKEN, LIVINGSTON, BALLARD, CARLISLE, MARSHALL, GRAVES AND  
OF KENTUCKY  
EFFECTIVE

WEBSTER COUNTIES, KENTUCKY.

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FILED WITH PUBLIC SERVICE COMMISSION  
OF KENTUCKY

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)  
BY: Steve L. Lee  
PUBLIC SERVICE COMMISSION MANAGER

Issued August 10, 19 87 Effective September 1, 1987

Issued By Big Rivers Electric Corporation  
(Name of Utility)

By W. H. Thorpe  
General Manager

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RULES & REGULATIONS

A. SPECIAL RULES - ELECTRIC SERVICE

1. Billing Demand:

(N) For each delivery point for which there is an established Contract Demand, where demand cannot by contract exceed the Contract Demand level by more than two percent without Big Rivers' permission, the Billing Demand in kilowatts shall be Member's maximum integrated thirty-minute demand at such delivery point during each billing month, determined by meters which record at the end of each thirty-minute period the integrated kilowatt demand during the preceding thirty minutes, or the Contract Demand, whichever shall be greater. For all other delivery points, the Billing Demand in kilowatts shall be Member's maximum integrated thirty-minute demand at such delivery point during each billing month, determined by meters which record at the end of each thirty-minute period the integrated kilowatt demand during the preceding thirty minutes, or such maximum integrated thirty-minute demand achieved during any one of the eleven preceding months, or the Contract Demand, whichever shall be greater.

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2. Contract Demand:

Upon mutual agreement with Member, a Contract Demand may be established for delivery points requiring special investments by Seller.

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3. Metering:

BY: George Felber  
PUBLIC SERVICE COMMISSION MANAGER

The Seller shall meter all power and energy at voltage as mutually agreed to with Member. Meters and metering equipment shall be furnished, maintained and read by the Seller.

4. Electric Characteristics and Delivery Point(s):

Electric power and energy to be furnished hereunder shall be alternating current, three-phase, sixty Hertz. The Seller shall make and pay for all final connections between the systems of the Seller and the Member at the point(s) of delivery. The parties will specify

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the initial points of delivery, delivery voltages and capacity prior to the commencement of service hereunder. Additional points shall be agreed upon by the Seller and the Member from time to time.

5. Substations:

The Member shall install, own and maintain the necessary substation equipment at the point(s) of connection unless otherwise agreed to by Seller. The Seller shall own and maintain switching and protective equipment which may be reasonably necessary to enable the Member to take and use the electric power and energy hereunder and to protect the system of the Seller.

6. Rate:

The Board of Directors of the Seller at such intervals as it shall deem appropriate, but in any event not less frequently than once in each calendar year, shall review the rate for electric power and energy furnished hereunder and, if necessary, shall revise such rate so that it shall produce revenues which shall be sufficient, but only sufficient, to meet the cost of operation and maintenance (including without limitation, replacements, insurance, taxes and administrative and general overhead expenses) of the generating plant, transmission system and related facilities of the Seller, the cost of any power and energy purchased for resale hereunder by the Seller, the cost of transmission service, make payments on account of principal of and interest on all indebtedness of the Seller, and to provide for the establishment and maintenance of reasonable reserves. The Seller shall cause a notice in writing to be given to the Member, which shall set out all the proposed revisions of the rate.

7. Discount Adjustment:

At the discretion of the Board of Directors, and with the prior approval of the Public Service Commission, an appropriate discount may be authorized at such time, as substantial application of the rate indicates revenues in excess of projected and related levels of the rate design.

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BY: *Thomas L. Hill*  
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8. Meter Testing and Billing Adjustment:

(T) The Seller shall test and calibrate meters in accordance with the provisions of 807 KAR 5:041, Sections 15 and 17. The Seller shall also make special meter tests at any time at the Member's request. The costs of all tests shall be borne by the Seller; provided, however, that if any special meter test made at the Member's request shall disclose that the meters are recording accurately, the Member shall reimburse the Seller for the cost of such test. Meters registering not more than two percent (2%) above or below normal shall be deemed to be accurate. The readings of any meter which shall have been disclosed by test to be inaccurate shall be corrected for the ninety (90) days previous to such test in accordance with the percentage of inaccuracy found by such test. If any meter shall fail to register for any period, the Member and the Seller shall agree as to the amount of energy furnished during such period and the Seller shall render a bill therefor.

9. Notice of Meter Reading or Test:

The seller shall notify the Member in advance of the time of any meter reading or test so that the Member's representative may be present at such meter reading or test.

10. Power Factor:

The Member shall at all times take and use power in such manner that the power factor at the time of maximum demand shall not be less than 85% leading or lagging.

11. Right of Access:

Duly authorized representatives of either party hereto shall be permitted to enter the premises of the other party hereto at all reasonable times in order to carry out the provisions hereof.

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12. Continuity of Service:

The Seller shall use reasonable diligence to provide a constant and uninterrupted supply of electric power and energy hereunder. If the supply of electric power and energy shall fail or be interrupted, or become defective, by reason of force majeure, the Seller shall not be liable therefor, or for damages caused thereby. The term "force majeure", as used herein, shall mean Acts of God, accidents, strikes or other labor troubles, acts of the public enemy, wars, blockades, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, arrests and restraints of the Government, whether Federal, State or local, civil or military, civil disturbances, explosions, breakage of or accident to machinery, equipment or transmission lines, inability to obtain necessary materials, supplies or permits due to existing or future rules, regulations, orders, laws or proclamations of governmental authorities, whether Federal, State or local, civil or military, and any other forces which are not reasonably within the control of the Seller, whether like or unlike those herein enumerated.

13. Payment of Bills:

The Seller shall read meters monthly. Electric power and energy furnished hereunder shall be paid for at the office of the Seller in Seller's designated office monthly on the fifteenth (15th) day of the month following service or on the next business day should this day fall on a Saturday, Sunday or a holiday. If the Member shall fail to pay any such bill within such prescribed period, the Seller may discontinue delivery of electric power and energy hereunder upon fifteen (15) days written notice to the Member of its intention so to do. Such discontinuance for non-payment shall not in any way affect the obligation of the Member to pay the minimum bill.

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14. Energy Emergency Control Program:

a. Purpose:

To provide a plan for reducing the consumption of electric energy on Big Rivers Electric Corporation (Company) system, in the event of a severe coal shortage, such as might result from a general strike in the coal mines.

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b. Procedures:

In the event of a potential severe coal shortage, such as one resulting from a general coal strike, the Utility shall make an inventory of their fuel stock to determine the quantity and quality of the recoverable fuel. This inventory shall be completed within the thirty (30) day period prior to the anticipated start of the emergency and the following steps will be implemented. These steps will be carried out to the extent not prohibited by contractual commitments or by order of the regulatory authorities having jurisdiction. The "days operation" referred to below will be calculated in accordance with Appendix A, which is incorporated herein by reference from Big Rivers' Emergency Procedures filed with the Commission in Administrative Case 238. After each curtailment of electric service, the generation levels will be adjusted to the new, reduced level in the calculation of the "days operation" of remaining coal inventory.

(1) To be initiated when fuel supplies are decreased to 50 days operation of coal-fired generation and a continued downward trend in coal stocks is anticipated:

- (a) Advise all wholesale customers of the number of days burn remaining.
- (b) Optimize the use of non-coal-fired generation to the extent possible, except for emergency standby units.
- (c) For individual plants significantly under 50 days supply, modify economic dispatching procedures to conserve coal.
- (d) Discontinue economy sales to neighboring utilities.
- (e) Curtail the use of energy in all company offices, plants, etc.

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- (2) To be initiated when fuel supplies are decreased to 40 days operation at the daily burn rate resulting after implementation of the actions in the above Section (1) of coal-fired generation and a continued downward trend in coal stocks is anticipated:
- (a) Advise all wholesale customers of the number of days burn remaining.
  - (b) At coal-fired generating plants, substitute the use of oil for coal as permitted by plant design, oil storage facilities and oil availability (except emergency standby units).
  - (c) Discontinue all short-term sales to neighboring utilities.
  - (d) Limit emergency deliveries to neighboring utilities to situations where regular customers of such utilities would otherwise be dropped or where the receiving utility agrees to return like quantities of energy within 14 days.
  - (e) Purchase energy from neighboring systems to the extent practicable.
  - (f) Purchase energy from industrial customers with generation facilities to the extent practicable.
  - (g) Through use of the news media and direct customer contact, appeal to all customers to voluntarily reduce their use of electric energy as much as possible, and in any case endeavor to reduce the nonessential use of electricity.

- (3) To be initiated -- in the order indicated below when fuel supplies are decreased to 30 days operation of coal-fired plants at the daily burn rate resulting after

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implementation of the actions in the above Sections (1) and (2) and continued downward trend in coal stocks is anticipated:

- (a) Advise all wholesale customers of the number of days burn remaining.
  - (b) Discontinue emergency deliveries to neighboring utilities unless the receiving utility agrees to return like quantities of energy within 7 days.
- (4) To be initiated when fuel supplies are decreased to 20 days operation of coal-fired generation at the daily burn rate resulting after implementation of the actions in the above Sections (1), (2) and (3) and a continued downward trend in coal stocks is anticipated:
- (a) Advise all wholesale customers of the number of days burn remaining.
- (5) To be initiated when fuel supplies have been decreased to a level which will result in 60 days' operation remaining for Essential Health and Safety Uses, Residential Use, and Commercial Use after all uses have been curtailed by the wholesale customers of the company to a minimum service level which is not greater than that required for protection of human life and safety, protection of physical plant facilities, and employees' security.
- (a) Advise all wholesale customers that this level of fuel supplies has been reached.
  - (b) Discontinue all emergency deliveries to neighboring utilities unless so ordered otherwise by KPSC or PERC.

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(6) To be initiated as a measure of last resort when fuel supplies are decreased to 15 days operation of coal-fired generation at the daily burn rate resulting after implementation of the actions in the above Sections (1), (2), (3), (4) and (5) and a continued downward trend in coal stocks is anticipated:

(a) Advise all wholesale customers of the number of days burn remaining.

(b) As a last resort, implement load shedding procedures as required to preserve the integrity of the electrical system. This procedure shall be coordinated with the wholesale customers in order to assure the minimum impact upon those services which are necessary for the protection of Human Life and Safety and for the protection of Physical Plant Facilities.

c. Termination of Energy Emergency:

The Energy Emergency Control Program shall be terminated upon notice to the Commission, when the remaining days of operation of coal-fired generation is at least 20 days, coal deliveries have been resumed, and there is reasonable assurance that the coal stocks are being restored to adequate levels.

B. SPECIAL RULES - CABLE TELEVISION ATTACHMENT

1. Establishing Pole Use:

a. Before a CATV operator shall make use under this tariff of any of the facilities of Big Rivers, it shall notify Big Rivers in writing of its intent and shall comply with the procedures established by Big Rivers. The CATV operator shall furnish Big Rivers detailed construction plans and drawings, together with necessary maps, indicating the specific poles of Big Rivers upon which attachments are proposed, the number and character of the

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attachments to be on such poles, the rearrangements of Big Rivers' fixtures and equipment necessary for the attachments, and relocations or replacements of existing poles, and any additional poles required by the CATV operator.

- b. Big Rivers shall, on the basis of such detailed construction plans and drawings, submit to the CATV operator a cost estimate (including overhead and less salvage value of materials) of all changes that may be required. Upon written notice by the CATV operator to Big Rivers that the cost estimate is approved, Big Rivers shall proceed with the necessary changes. Upon completion of all changes, the CATV operator shall have the right hereunder to make attachments in accordance with the terms of this tariff. The CATV operator shall, at its own expense, make attachments in such manner as not to interfere with the service requirements of Big Rivers.
- c. Upon completion of all changes, the CATV operator shall pay Big Rivers the actual cost (including overhead and less salvage value of materials) of making such changes. The obligations of the CATV operator hereunder shall not be limited to amounts shown on estimates made by Big Rivers hereunder.
- d. Any reclearing of existing rights-of-way and any tree trimming necessary for the establishment of attachments hereunder shall be performed by the CATV operator.
- e. All poles and appurtenances to which attachments have been made under this tariff shall remain the property of Big Rivers, and any payments made by the CATV operator under this tariff for changes in Big Rivers' facilities shall not entitle the CATV operator to the ownership of any of said facilities of the CATV operator.

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f. Any changes necessary for correction of a substandard installation made by the CATV operator, where notice of intent had not been requested, shall be billed at an amount equal to twice the charges that would have been imposed if the attachment had been properly authorized.

2. Easements and Rights-of-Way:

Big Rivers does not warrant nor assure to the CATV operator any rights-of-way privileges or easements, and should the CATV operator at any time be prevented from placing or maintaining its attachments on Big Rivers' poles, no liability on account thereof shall attach to Big Rivers. Each party shall be responsible for obtaining its own easements and rights-of-way.

3. Maintenance of Poles, Attachments and Operation:

- a. Whenever right-of-way considerations or public regulations make relocation of a pole or poles necessary, such relocation shall be made by Big Rivers at its own expense, except that each party shall bear the cost of transferring its own attachments.
- b. Whenever it is necessary to replace or relocate a pole, Big Rivers shall, before making such replacement or relocation, give forty-eight (48) hours notice (except in cases of emergency) to the CATV operator, specifying in said notice the time of such proposed replacement or relocation, and the CATV operator shall, at the time so specified, transfer its attachments to the new or relocated pole. Should the CATV operator fail to transfer its attachments to the new or relocated pole at the time specified, Big Rivers may elect to do such work and the CATV operator shall pay Big Rivers the cost thereof. Big Rivers shall not be liable for any consequential damages which may result therefrom.

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- c. Any attachment of CATV which does not conform to the specifications set out in this tariff shall be brought into conformity herewith as soon as practical. Big Rivers reserves the right to inspect each new installation on its poles and in the vicinity of its lines or appurtenances. Such inspection, made or not, shall not operate to relieve the CATV operator of any responsibility, obligation or liability assumed under this tariff.
- d. Big Rivers reserves to itself, its successor and assigns, the right to maintain its poles and to operate its facilities thereon in such manner as will, in its own judgment, best enable it to fulfill its own service requirements. Big Rivers shall not be liable to the CATV operator for any interruption of service or for interference with the operation of its cables, wire and appliances when such conditions are caused by situations beyond Big Rivers' control.

4. Inspections:

- a. Periodic Inspection: Any unauthorized or unreported attachment by a CATV operator will be billed at two times the amount that would have been due had the installation been made the day after the last inspection preceding discovery of the attachment.
- b. Make-Ready Inspection: Actual expenses, plus appropriate overhead charges, incurred by Big Rivers in any "make-ready" or "walk-through" inspection required of Big Rivers will be paid for by the CATV operator.

5. Insurance or Bond:

- a. The CATV operator shall defend, indemnify and save harmless Big Rivers from any and all damage, loss, claim, demand, suit, liability, penalty or forfeiture of every kind and nature, including, but not limited to, costs and expenses of defending against the same and payment of any settlement or judgment therefor, by reason of (1) injuries or deaths to persons,

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damages to or destruction of properties, (3) pollutions, contaminations of or other adverse effects on the environment or (4) violations of governmental laws, regulations or orders whether suffered directly by Big Rivers itself, or indirectly by reason of claims, demands or suits against it by third parties, resulting or alleged to have resulted from acts or omissions of the CATV operator, its employees, agents, or other representatives or from their presence on the premises of Big Rivers, either solely or in concurrence with any alleged joint negligence of Big Rivers. Big Rivers shall be liable for its sole active negligence.

b. The CATV operator will provide coverage as follows from a company authorized to do business in the Commonwealth of Kentucky:

- (1) Protection for its employees to the extent required by Workers' Compensation Laws of Kentucky.
- (2) Public liability coverage with separate coverage for each town or city in which the CATV operator operates under this contract to a minimum amount of \$1,000,000 for each person and \$1,000,000 for each accident or personal injury or death, and \$25,000 as to the property of any one person, and \$100,000 as to any one accident of property damage.
- (3) Naming Big Rivers Electric Corporation as an additional insured.

c. Before beginning operations under this tariff, the CATV operator shall cause to be furnished to Big Rivers a certificate evidencing the existence of such coverage. Each policy hereunder shall contain a contractual endorsement written as follows:

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"The insurance or bond provided herein shall also be for the benefit of Big Rivers Electric Corporation, so as to guarantee, within the coverage limits, the performance by the insured of any indemnity agreement set forth in this tariff. This insurance or bond may not be cancelled for any cause without thirty (30) days' advance notice being first given to Big Rivers Electric Corporation.

6. Change of Use Provision:

When Big Rivers requires a change in its facilities for reasons unrelated to CATV operations, the CATV operator shall be given forty-eight (48) hours notice (except in cases of emergency) in order to accomplish the CATV-related changes. If the CATV operator is unable or unwilling to meet Big Rivers' time schedule for such changes, Big Rivers may do the work and charge the CATV operator its reasonable costs for performing the change of CATV attachments.

7. Abandonment:

a. Should Big Rivers decide to abandon any pole which the CATV operator is utilizing, it shall give the CATV operator notice in writing to that effect at least thirty (30) days prior to the date on which it intends to abandon such pole. If, at the expiration of said period, Big Rivers has no attachments on such pole, but the CATV operator has not removed all of its attachments therefrom, such pole shall thereupon become the property of the CATV operator, and the CATV operator shall save harmless Big Rivers from all obligation, liability, damages, cost, expenses or charges incurred thereafter, and shall pay Big Rivers for such pole an amount equal to Big Rivers' depreciation cost thereof. Big Rivers shall further evidence transfer of the CATV operator of title to the pole by means of a bill of sale. Big Rivers reserves the right to abandon and salvage any power line free and clear of any obligations to the CATV operator and upon one year's notice to the CATV operator.

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b. The CATV operator may at any time abandon the use of any pole by giving due notice thereof in writing to Big Rivers and by removing therefrom any and all attachments it may have thereon. The CATV operator shall in such case pay Big Rivers the pro rata rental for said pole for the then current billing period.

8. Rights of Others:

Upon notice from Big Rivers to the CATV operator that the use of any pole is forbidden by municipal or other public authorities or by property owners, the permit governing the use of such pole shall immediately terminate and the CATV operator shall remove its facilities from the affected pole at once. No refund of any rental will be due on account of any removal under these circumstances.

9. Payment of Taxes:

Each party shall pay all taxes and assessments lawfully levied on its own property upon said attached facilities, and the taxes and the assessments which are levied on said property shall be paid by the owner thereof, but any tax, fee or charge levied on Big Rivers' facilities solely because of their use by the CATV operator shall be paid by the CATV operator.

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10. Bond or Depositor Performance:

The CATV operator shall furnish bond or satisfactory evidence of contractual insurance coverage for the purposes hereinafter specified in the amount of Five Thousand Dollars (\$5,000), evidence of which shall be presented to Big Rivers fifteen (15) days prior to beginning construction. Such bond or insurance shall contain the provision that it shall not be terminated prior to three (3) months after receipt by Big Rivers of written notice of the desire of the Bonding or Insurance Company to terminate such bond or insurance. Upon receipt of such notice, Big Rivers shall request the CATV operator to immediately remove its cables, wires and all other facilities from all poles of Big Rivers. If the CATV operator should fail to complete the removal of all its facilities from the poles of

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Big Rivers within thirty (30) days after receipt of such request from Big Rivers, then Big Rivers shall have the right to remove them at the cost and expense of the CATV operator and without being liable for any damage to the CATV operator's wires, cables, fixtures or appurtenances. Such bond or insurance shall guarantee the payment of any sums which may become due to Big Rivers for rentals, inspections or work performed for the benefit of the CATV operator under this tariff, including the removal of attachments upon termination of service by any of its provisions.

11. Use of Anchors:

Big Rivers reserves the right to prohibit the use of any anchors by the CATV operator where conditions warrant such action.

12. Discontinuance of Service:

Big Rivers may refuse or discontinue serving an applicant or customer under the conditions set out in 807 KAR 5:006 Section 11.

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CLASSIFICATION OF SERVICE

A. ELECTRIC SERVICE

1. APPLICABLE:

In all territory served by Cooperative's transmission system.

2. AVAILABILITY OF SERVICE:

Available only for service to member rural electric cooperatives subject to the special terms and conditions hereinafter set forth and to such of Cooperative's general rules and regulations on file with the Public Service Commission of Kentucky.

3. RATES:

(N) a. For all aluminum smelter delivery points, a Monthly Delivery Point Rate consisting of the Variable Aluminum Smelter Rate as detailed in Item 6 herein.

b. For all other delivery points, a Monthly Delivery Point Rate consisting of:

(1) A Demand Charge of:

(I) All KW of billing demand at \$7.50 per kilowatt.

Plus,

(2) An Energy Charge of:

(I) All kWh per month at \$0.017234 per kWh.

c. Fuel Clause:

The Energy Charge shall be increased or decreased by a fuel adjustment factor as follows:

$\frac{F}{S} - \$0.01295$

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PURSUANT TO 807 KAR 5:011,  
SECTION 9 (1)

BY: George S. Lelie  
PUBLIC SERVICE COMMISSION MANAGER

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By W. H. Hoyle General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

- (1) The fuel clause shall provide for periodic adjustment per kWh of sales equal to the difference between the fuel costs per kWh sales in the base period and in the current period according to the following formula:

$$\text{Adjustment Factor} = \frac{F(m)}{S(m)} - \frac{F(b)}{S(b)}$$

Where F is the expense of fossil fuel in the base (b) and current (m) periods; and S is sales in the base (b) and current (m) periods, all defined below:

- (2) F(b)/S(b) shall be so determined that on the effective date of the Commission's approval of the utility's application of the formula, the resultant adjustment will be equal to zero (0).

- (3) Fuel costs (F) shall be the most recent actual monthly cost of:

PUBLIC SERVICE COMMISSION  
OF KENTUCKY

- (a) Fossil fuel consumed in the utility's own plants, and the utility's share of fossil and nuclear fuel consumed in jointly owned or leased plants, <sup>EFFECTIVE SEP 01 1987</sup> plus the cost of fuel which would have been used in plants suffering forced generation and/or transmission outages, but less the cost of fuel related to substitute generation, plus

BY: George L. Bell  
PUBLIC SERVICE COMMISSION MANAGER

- (b) The actual identifiable fossil and nuclear fuel costs associated with energy purchased for reasons other than identified in paragraph (c) below, but excluding the cost of fuel related to purchases to substitute the forced outages, plus

- (c) The net energy cost of energy purchases, exclusive of capacity or demand charges (irrespective of the designation assigned to such transaction) when such energy is purchased on an economic dispatch basis.

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For All Territory Served By  
Cooperative's Transmission System

Original Sheet No. 18

PSC No. 14

Cancelling Sheet No.

CLASSIFICATION OR SERVICE

be the product of the "Adjustment Factor" for the preceding month as defined above and the kilowatt hours consumed by the Member in the preceding month.

d. Taxes:

If there shall be imposed by federal, state or other governmental authority, any tax payable by the Seller upon the gross revenue or earnings, or upon the production, transmission or sale of electric energy, a pro rata share of such additional tax or taxes shall be added to the monthly bill payable by the Member to the Seller. The sales tax of the Commonwealth of Kentucky is not included in the Monthly Rate, but if applicable, will be paid by Member.

4. MINIMUM BILL:

The minimum monthly bill for each delivery point shall not be less than the Demand Charge multiplied by the Billing Demand.

5. TERM:

The wholesale power supply contracts dated January 11, 1962, between Big Rivers Electric Corporation and its distribution cooperative members shall remain in effect until January 1, 2023, and thereafter until terminated by either party giving to the other not less than six months' written notice of its intention to terminate.

6. VARIABLE ALUMINUM SMELTER RATE:

a. Availability:

The schedule is available to cooperatives for sales for resale to primary aluminum smelters within the service territory of Big Rivers Electric Corporation ("Big Rivers") and its member cooperatives. This schedule only covers purchases for primary aluminum reduction and associated administrative facilities. It does not cover purchases for later resale or use in fabrication.

PURSUANT TO PUBLIC SERVICE COMMISSION ORDER NO. 107 KAR 6:011, SECTION 9.1(D) EFFECTIVE JAN 1 1989  
P. H. [Signature] PUBLIC SERVICE COMMISSION MANAGER

Date of Issue December 21, 1988 Date Effective January 1, 1989  
Issued By W. H. Hoyle General Manager P.O. Box 24, Henderson, KY 42420  
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Issued By Authority of PSC Order No. 10265

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

Included therein may be such costs as the charges for economy energy purchases and the charges as a result of scheduled outage, all such kinds of energy being purchased by the buyer to substitute for its own higher cost energy; and less

- (d) The cost of fossil fuel recovered through inter-system sales including the fuel costs related to economy energy sales and other energy sold on an economic dispatch basis.
- (e) All fuel costs shall be based on weighted average inventory costing.
- (4) Forced outages are all nonscheduled losses of generation or transmission which require (purchase of) substitute power for a continuous period in excess of six (6) hours. Where forced outages are not as a result of faulty equipment, faulty manufacture, faulty design, faulty installations, faulty operation or faulty maintenance, but are Acts of God, riot, insurrection or acts of the public enemy, then the utility may, upon proper showing, with the approval of the Commission, include the fuel cost of substitute energy in the adjustment.
- (5) Sales (S) shall be all kWhs sold, excluding inter-system sales. Where, for any reason, billed system sales cannot be coordinated with fuel costs for the billing period, sales may be equated to the sum of (i) generation, (ii) purchases, (iii) interchange in, less (iv) energy associated with pumped storage operations, less (v) inter-system sales referred to in subsection (3) (d) above, less (vi) total system losses. Utility-used energy shall not be excluded in the determination of sales (S).

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 PURSUANT TO 307 KAR 5:011,  
 SECTION 9(1)  
 BY: [Signature]  
 PUBLIC SERVICE COMMISSION MANAGER

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By [Signature] General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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CLASSIFICATION OF SERVICE

(6) The cost of fossil fuel shall include no items other than the invoice price of fuel less any cash or other discounts. The invoice price of fuel includes the cost of the fuel itself and necessary charges for transportation of the fuel from the point of acquisition to the unloading point, as listed in Account 151 of FERC Uniform System of Accounts for Public Utilities and Licensees. To facilitate the prompt mailing of bills, the fuel adjustment amount for any billing month shall be the product of the "Adjustment Factor" for the preceding month as defined above and the kilowatt hours consumed by the Member in the preceding month.

d. Taxes

If there shall be imposed by Federal, State or other governmental authority, any tax payable by the Seller upon the gross revenue or earnings, or upon the production, transmission or sale of electric energy, a pro rata share of such additional tax or taxes shall be added to the monthly bill payable by the Member to the Seller. The sales tax of the Commonwealth of Kentucky is not included in the Monthly Rate, but if applicable, will be paid by Member.

4. MINIMUM BILL:

The minimum monthly bill for each delivery point shall not be less than the Demand Charge multiplied by the Billing Demand.

5. TERM:

The wholesale power supply contracts dated January 11, 1962, between Big Rivers Electric Corporation and its distribution cooperative members shall remain in effect until January 1, 2023, and thereafter until terminated by either party giving to the other not less than six months written notice of its intention to terminate.

PUBLIC SERVICE COMMISSION

KENTUCKY  
EFFECTIVE

SEP 01 1987

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: George L. Hill  
PUBLIC SERVICE COMMISSION MANAGER

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Issued By W. H. Hoyle General Manager P.O. Box 24, Henderson, KY 42420  
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Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

(N) 6. VARIABLE ALUMINUM SMELTER RATE:

a. Availability:

This schedule is available to cooperatives for sales for resale to primary aluminum smelters within the service territory of Big Rivers Electric Corporation ("Big Rivers") and its member cooperatives. This schedule only covers purchases for primary aluminum reduction and associated administrative facilities. It does not cover purchases for later resale or use in fabrication.

b. Terms of the Rate:

This rate schedule shall take effect on September 1, 1987 and shall terminate at midnight August 31, 1997. The rate schedule shall be subject to two reviews, commencing July 1, 1988 and July 1, 1990 as provided for in the August 10, 1987, Order in Case No. 9885, and such other reviews as may from time to time be established by the Public Service Commission. Upon termination of this rate schedule, the rates applicable to non-smelter customers shall apply to the aluminum smelters.

c. Rate:

(1) Initial Rate Charges Subject to Adjustments:

The following rates shall apply to sales for resale to primary aluminum smelter customers that purchase power under the Variable Aluminum Smelter Power Rate Schedule.

(a) Base Variable Aluminum Smelter Rate:

SEP 01 1987

1. Demand Charge:

\$7.50 per kilowatt of contract demand.

2. Pivot Energy Charge:

32.0 mills per kilowatt-hour of billing energy.

PURSUANT TO KY STATUTE SECTION 9(1)  
BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By [Signature] General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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CLASSIFICATION OF SERVICE

(b) Lower Rate Limit:

18.1 mills per kilowatt-hour of billing energy.

(c) Upper Rate Limit:

44.0 mills per kilowatt-hour of billing energy.

(2) Initial Rate Parameters Subject to Adjustments:

The following rate parameter shall be used in determining the power bills for customers purchasing power under the Variable Aluminum Smelter Power Rate Schedule.

Pivot Aluminum Price

62 cents per pound

PUBLIC SERVICE COMMISSION  
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EFFECTIVE

SEP 01 1987

PURSUANT TO 807 KAR 5:011,  
SECTION 9(1)

BY: [Signature]  
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d. Formula:

The Variable Aluminum Smelter Power Rate is a formula tied to the average monthly "MW U.S. Trans" price of aluminum as reported in Metals Week, for the month prior to the month charges are incurred ("monthly billing aluminum price"). Under this rate schedule, the monthly energy charge varies in response to changes in the monthly billing aluminum price.

(1) Demand Charge:

(a) Each month the smelters purchasing under the Variable Aluminum Smelter Power Rate Schedule shall pay a Demand Charge, as stated in Section c.(1)(a)1. of this rate schedule, times the contracted capacity, pursuant to current contracts. For the amount of energy consumed in each month, the smelters shall pay the Energy Charge, as stated in Section d.(2) of this rate schedule, minus a Demand Charge Credit for each kilowatt-hour, computed as the Demand Charge rate converted to mills per kilowatt-hour at a 99% load factor.

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By [Signature] General Manager P.O. Box 24, Henderson, KY 42420

Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

(2) Energy Charge:

(a) Pivot Point Charge:

When the monthly billing aluminum price (described in Section f. of this schedule) is equal to the Pivot Aluminum Price (as stated in Section c.(2) of this rate schedule), the monthly energy charge shall be the Pivot Energy Charge as stated in Section c.(1)(a)2. of this rate schedule.

(b) Reductions to Pivot Energy Charge:

When the monthly billing aluminum price is less than the Pivot Aluminum Price, the monthly energy charge shall be the greater of:

1. The Pivot Energy Charge minus (P-MAP)xLS where:

P = the Pivot Aluminum Price as stated in Section c.(2) of this rate schedule.

MAP = the monthly billing aluminum price in cents per pound determined pursuant to Section f. of this schedule.

LS = the lower slope or 0.8 <sup>PUBLIC SERVICE COMMISSION</sup> <sub>OF KENTUCKY</sub> <sup>EFFECTIVE</sup> milliwatt-hour.

or

2. the Lower Rate Limit as stated in Section c.(1)(b) of this rate schedule. <sup>SEP 01 1987</sup> <sup>PURSUANT TO SUP KAN 5:011, SECTION 9(1)</sup>

(c) Increases to Pivot Energy Charge:

BY: James A. Hill  
PUBLIC SERVICE COMMISSION MANAGER

When the monthly billing aluminum price is greater than the Pivot Aluminum Price, the monthly energy charge shall be the lesser of:

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By W. N. Thayer General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

1. The Pivot Energy Charge plus (MAP-P)xUS where:

P = the Upper Pivot Aluminum Price as stated in Section c.(2) of this rate schedule.

MAP = the monthly billing aluminum price in cents per pound determine pursuant to Section d.(1)(a) of this schedule.

US = the upper slope or 0.7 mills per kilowatt-hour.

or

2. the Upper Rate Limit, as stated in Section c.(1)(c) of this rate schedule.

e. Adjustments For Legislation or Regulatory Action:

Upon payment by Big Rivers for new, sudden expenditures required by legislation or regulatory action (e.g., acid rain, taxes), the Pivot Energy Charge and the Upper Rate Limit shall be adjusted to reflect these increased legislation or regulatory costs. The new Pivot Energy Charge and Upper Rate Limit shall supersede in every way the Pivot Energy Charge and Upper Rate Limit set out in Sections c.(1)(a)2. and c(1)(c) of this schedule.

PUBLIC SERVICE COMMISSION  
SEP 01 1987

f. Rate Parameters and Adjustments:

PURSUANT TO KY STATUTE 5:011, SECTION 9(1)

(1) Monthly Average Aluminum Price Determination by: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

(a) Calculation of the Monthly Billing Aluminum Price:

The monthly billing aluminum price shall be determined monthly. For purposes of this rate schedule, the monthly billing aluminum price shall be the average U.S. Mid West Transactions Price reported for the previous month by Metals Week, in cents per pound.

Date of Issue August 10, 1987 Date Effective September 1, 1987

Issued By [Signature] General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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CLASSIFICATION OF SERVICE

(b) Changes in Aluminum Price Indicators:

In the event that Big Rivers Electric Corporation determines that factors outside its control have rendered Section f.(1)(a) unusable as an approximation of the U.S. market price for aluminum, Big Rivers Electric Corporation shall develop and submit to the appropriate regulatory bodies a substitute indicator for determining the Monthly Billing Aluminum Price.

g. Fuel Adjustment Clause:

The energy charge shall be increased or decreased by a fuel adjustment factor as follows:

$$\frac{F}{S} - \$.01295$$

- (1) The fuel clause shall provide for periodic adjustment per kWh of sales equal to the difference between the fuel costs per kWh sales in the base period and in the current period according to the following formula:

$$\text{Adjustment Factor} = \frac{F(m)}{S(m)} - \frac{F(b)}{S(b)}$$

Where F is the expense of fossil fuel in the base (b) and current (m) periods; and S is sales in the base (b) and current (m) periods, all defined below:

- (2) FB/SB shall be so determined that on the effective date of the Commission's approval of the utility's application of the formula, the resultant adjustment will be equal to zero (0).  
PUBLIC SERVICE COMMISSION  
EFFECTIVE
- (3) Fuel costs (F) shall be the most recent actual monthly cost of:  
SEP 01 1987

PURSUANT TO KRS 5:011,  
SECTION 9(1)  
BY: George Felber  
PUBLIC SERVICE COMMISSION MANAGER

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Issued By W. H. Hoyle General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

Issued By Authority of PSC Order No. 9885 dated August 10, 1987

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

- (a) Fossil fuel consumed in the utility's own plants, and the utility's share of fossil and nuclear fuel consumed in jointly owned or leased plants, plus the cost of fuel which would have been used in plants suffering forced generation and/or transmission outages, but less the cost of fuel related to substitute generation, plus
  - (b) The actual identifiable fossil and nuclear fuel costs associated with energy purchased for reasons other than identified in paragraph (c) below, but excluding the cost of fuel related to purchases to substitute the forced outages, plus
  - (c) The net energy cost of energy purchases, exclusive of capacity or demand charges (irrespective of the designation assigned to such transaction) when such energy is purchased on an economic dispatch basis. Included therein may be such costs as the charges for economy energy purchases and the charges as a result of scheduled outage, all such kinds of energy being purchased by the buyer to substitute for its own higher cost energy; and less
  - (d) The cost of fossil fuel recovered through inter-system sales including the fuel costs related to economy energy sales and other energy sold on an economic dispatch basis.
  - (e) All fuel costs shall be based on weighted inventory costing.
- (4) Forced outages are all nonscheduled losses of generation or transmission which require (purchase of) substitute power for a continuous period in excess of six (6) hours. Where forced outages are not as a result of faulty equipment, faulty manufacture, faulty design, faulty installations, faulty operation or faulty maintenance, but are Acts of God, riot, insurrection or acts of the public enemy, then

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SEPTEMBER 1, 1987

PURSUANT TO 807 KAR 5:011,  
SEVERAGE 9/11

BY: Wayne Miller  
PUBLIC SERVICE COMMISSION MANAGER

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Issued By W. N. Royce General Manager P.O. Box 24, Henderson, KY 42420  
Name Title Address

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Original Sheet No. 26

PSC No. 13

Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

the utility may, upon proper showing, with the approval of the Commission, include the fuel cost of substitute energy in the adjustment.

(5) Sales (S) shall be all kWhs sold, excluding inter-system sales. Where, for any reason, billed system sales cannot be coordinated with fuel costs for the billing period, sales may be equated to the sum of (i) generation, (ii) purchases, (iii) interchange in, less (iv) energy associated with pumped storage operations, less (v) inter-system sales referred to in subsection (3) (d) above, less (vi) total system losses. Utility-used energy shall not be excluded in the determination of sales (S).

(6) The cost of fossil fuel shall include no items other than the invoice price of fuel less any cash or other discounts. The invoice price of fuel includes the cost of the fuel itself and necessary charges for transportation of the fuel from the point of acquisition to the unloading point, as listed in Account 151 of FERC Uniform System of Accounts for Public Utilities and Licensees.

To facilitate the prompt mailing of bills, the fuel adjustment amount for any billing month shall be the product of the "Adjustment Factor" for the preceding month as defined above and the kilowatt-hours consumed by the Member in the preceding month.

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
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SEP 01 1987

PURSUANT TO ORDER BAR 5:011,  
SECTION 9 (1)

BY: [Signature]  
PUBLIC SERVICE COMMISSION MANAGER

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Original Sheet No. 27

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Cancelling \_\_\_\_\_ Sheet No. \_\_\_\_\_

CLASSIFICATION OF SERVICE

B. CABLE TELEVISION ATTACHMENT

1. Applicability:

In all territory served by Big Rivers on poles owned and used by Big Rivers for its electric plant.

2. Availability:

To all qualified CATV operators having the right to receive service.

3. Rental Charge:

The yearly rental charges shall be as follows:

Two-party pole attachment without ground		\$3.14
Three-party pole attachment without ground		2.23
PUBLIC SERVICE COMMISSION		
Two-party pole attachment with ground	AB KENTUCKY	3.37
Three-party pole attachment with ground	EFFECTIVE	2.37
Two-party anchor attachment	SEP 01 1987	5.56
Three-party anchor attachment		3.71

4. Billing

Rental charges shall be billed yearly based on the number of attachments in place as of the end of the preceding calendar year. Payment is due within fifteen (15) days after the bill is mailed. If the CATV operator shall fail to pay any such bill within such fifteen (15) day period, Big Rivers may discontinue service hereunder upon fifteen (15) days written notice to the CATV operator of its intention to do so.

PURSUANT TO 607 KAR 5:011,  
SECTION 9(1)  
BY: *[Signature]*  
PUBLIC SERVICE COMMISSION MANAGER

5. Specifications:

- a. The attachments covered by this tariff shall at all times conform to the requirements of the National Electrical Safety

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Name Title Address

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CLASSIFICATION OF SERVICE

Code, 1981 Edition, and subsequent revisions thereof, except where the lawful requirements of public authorities may be more stringent, in which case the latter will govern.

- b. The strength of poles covered by this agreement shall be sufficient to withstand the transverse and vertical load imposed upon them under the storm loading of the National Electrical Safety Code assumed for the area in which they are located.

PUBLIC SERVICE COMMISSION  
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PURSUANT TO 307 KAR 5:011,  
SECTION 9 (1)

BY: James L. Hill  
PUBLIC SERVICE COMMISSION MANAGER

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