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COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE POST OFFICE BOX 615 FRANKFORT, KY. 40602 (502) 564-3940 March 2, 1983

Senator William L. Quinlan Chairman Joint Interim Committee on Energy Room 21 - Capitol Annex Frankfort, Kentucky 40601

Dear Senator Quinlan:

On September 25, 1979, the United States District Court for the western district of Kentucky ruled that the Kentucky Public Service Commission had no authority to regulate the rates of electric utilities in Kentucky that buy their power from the Tennessee Valley Authority. The court's ruling was based upon the fact that Congress gave TVA the power to set the retail rate for all customers who purchase electricity from TVA under a wholesale contract. The power of the federal government to set the retail rate for these utilities takes precedence over the power of the state to likewise set the rate. Accordingly, since 1979 the PSC has not exercised any jurisdiction over the retail rates of the following utilities operating in Kentucky: Hickman-Fulton RECC, Pennyrile RECC, Warren RECC, West Kentucky RECC, Tri-County Electric Membership Corporation, and Jellico Electric Company.

In January of this year, the PSC received correspondence from stating that it was TVA's belief that the principle enunciated in the 1979 federal court decision would apply to service as well as rates. TVA thus contends that none of its wholesale customers operating in Kentucky are subject to any of the PSC's regulations governing the provision of electrical service to customers. The PSC has considered this matter and it is our conclusion that TVA is right on this point and that federal rather than state law governs the service as well as the rates of all TVA-supplied utilities. Since construction projects by utilities are also related to the rates and service of the utilities, the PSC believes it cannot legally certificate construction projects for these utilities. Accordingly, the PSC wishes to inform your committee that our agency will no longer the rates, service, or construction regulate aforementioned six utilities operating in Kentucky which purchase their electricity from the TVA.

Senator William L. Quinlan March 2, 1983 Page Two

If you or any member of your committee have questions regarding this matter, please feel free to contact our agency at anytime.

Very truly yours,

William M. Sawyer

General Counsel



COMMONWEALTH OF KENTUCKY PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615

FRANKFORT, KY. 40602

→ (502) 564-3940

February 15, 1983

Mr. Harold R. Myers
President/Manager
Hickman-Fulton Counties R.E.C.C.
P. O. Box 190
Hickman, Kentucky 42050

Dear Mr. Myers:

Per Mr. William Sawyer's letter, we are returning to you all filed tariffs relating to the rendering of service by your utility which were on file with the Public Service Commission.

Very truly yours,

Jewell S. Rhody

Enclosures

					P. S. C. Ky. No	(************************************
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Form for filing Rate Scho	For Entire Territory served Community, Town or City
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HICKMAN-FULTON COUNTIES RURAL E	ELECTRIC COOPERATIVE CORICANCELLING P.S.C. NO. 4
Name of Issuing Corporat:	oursel SHEET NO.

CLASSIFICATION OF SERVICE

RATE PER UNIT

The attached rates are applicable to all consumers and applications of this Cooperative in Fulton, Hickman Graves and the western part of Carlisle Counties.

All new services run are under contracts, The cost of construction (including labor and material) is pro-rated to the number of consumers served on each extension over a period of five (5) years, payable each month.

Four copies of our notices with service charges included are attached. The date of each notice depends upon the billing date.

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FOR Entire Territory Ser					
•		P.S.C. Ky. No. 4			
		4th Revised Sheet No. 2			
ł	kman-Fulton Counties R.E.C.C.	Cancelling P.S.C. Ky. No. 4			
		3rd Revised Sheet No. 2			
	RULES AND REGI	ulations			

Application for service:

Each prospective member desiring electric service will be required to sign the Cooperative's form of application for membership, before service is supplied by the Cooperative.

2. Membership Fee:

The applicant will pay to the Cooperative the sum of \$25.00, which, if this application is accepted by the Cooperative, will constitute the applicant's membership fee. If the Cooperative is unable to furnish service to the applicant, the sum of \$25.00 will be returned to the applicant.

3. Deposits:

A deposit or suitable guarantee approximately equal to the average monthly bill may be required of any member, with a minimum of \$25.00, before service is supplied if the Cooperative deems it necessary to insure payment for the service it will render. Upon termination of service, deposit may be applied against unpaid bills of the member and if any balance remains after such application is made said balance to be refunded to the member.

4. Monthly bills for service:

The applicant will, when electric energy becomes available and the meter installed, purchase from the Cooperative all electric energy on his premises and will pay therefore monthly at rates which will be fixed by the Board of Directors of the Cooperative.

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RATES AND TARIFFS

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	lst Revised Sheet No. 3

7. Right of Access:

The Cooperative's identified employees shall have access to members premises at all reasonable times for the purpose of reading meters, testing, repairing, removing or exchanging any or all equipment belonging to the Cooperative.

8. Consumer's responsibility:

The applicant will comply with and be bound by the provisions of the charter and by-laws of the Cooperative, of which he will be a member, and such rules and regulations as may, from time to time, be adopted by the Cooperative. All meters, service connections and other equipment furnished by the Cooperative shall be, and remain, the property of the Cooperative. The member shall exercise proper care to protect the property of the Cooperative on its premises; and in the event of loss or damage to Cooperative's property arising from neglect of member to care for same, the cost of the necessary repairs or replacements shall be paid by the member.

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RULES A	ND REGULATIONS

RECONNECTION CHARGE

The Cooperative will make no charge for connecting service to the member's premises for the initial connection of service. When the service has been terminated and the Cooperative is requested to reconnect service to the same member at the same location a \$5.00 (Five Dollars) reconnection fee will be charged. Reconnect charge will be due and payable at the Cooperative's Office upon notice of said charge prior to connection. No reconnection shall be made after the regular working hours unless in the judgement of the management there exists circumstances that will justify the additional expense.

METER TESTS

All new meters shall be checked for accuracy before installation. The Cooperati will, at its own expense, make periodical test and inspections of its meters in order to maintain a high standard of accuracy and to conform with the regulation of the Public Service Commission. The Cooperative will make additional test of meters at the request of the member and upon payment of a fee of \$5.00 (Five Dollars) paid in advance. When the test made at the member's request shows that he meter is accurate within 2% slow or fast, no adjustment will be made to the ambers bill and the fee paid will be forfeited to cover the cost of requested test. When the test shows the meter to be in excess of 2% fast an adjustment shall be made to the members bill by recalculating the monthly bills for a perio equal to one-half (1/2) of the time lapsed since the last previous test, but in no case this period exceed twelve (12) months (See exception ERC Regulations 807 KAR 50:015 Section 9, Subsection 5.) and the cost of testing the meter found to be inaccurate will be borne by the Cooperative and the \$5.00 (Five Dollars) fee paid by the member will be refunded.

FEB 23 1982

by B Rechangel

METER READING

Each member receiving service will be required to supply the Cooperative with reading of each meter on the form as furnished by the Cooperative on such date designated by the Cooperative. Upon failure by the member to supply the Cooperative with such meter reading for three (3) consecutive meter reading dates the Cooperative will act by having its representatives read the member's meter, and a service charge of \$5.00 (Five Dollars) will be made for the extra service rendered. The service charge will be made to the member's account and will be due and payable upon notice of said charge. In the event that an error in meter reading should be made or member fails to send in meter reading card, the member shapay for that month either the minimum bill for the service which he receives, or if he should be a larger user, he shall pay an amount approximately equal to his average bill, then the following month his bill shall be computed on the regular schedule prorated for two months and the amount paid shall be computed.

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	RULES AND REGUI	ATIONS
Emergency	y Curtailment Plan:	
		follow dynam guch time og o lood cymtoilment
becomes r		follow during such time as a load curtailment aware of this plan and will implement it
	1. Harold Myers,	
	2. Sharon Wilkers 3. Kenneth Vowell 4. Henry Cooley,	, Foreman-Coordinator
Step 10:	Hickman-Fulton Counties Electric Coope in office and warehouse by:	rative Corporation will curtail in-house load
	 Raising air conditioning thermosta Lower heating thermostat to 65 F. Turn off all non-work area lightin Cut any other usage which is unnec 	g except emergency.
Step 15:	Resume normal operation.	
Step 20:	Voluntary load reduction by all Custom personnel will supplement TVA's effort electrical use reduction by all consum	s through the news media to encourage
	Radio Stations: WFUL, AM & FM	
	Newspapers: The Hickman Courier, Fulto and the Hickman County Gazette.	n Daily Leader, The Carlisle County News
Step 25:	Advise consumers through news media to	resume normal operation.
Step 30:	ment without taking an outage on the S former. We do not plan at this time t	nties R.E.C.C. has no voltage reduction equipubstation to lower taps on Substation transo do this unless advised to do so by TVA. hrough Cooperative's 7.2 KV voltage regulators, ed by TVA.
Step 35:	Not applicable: unless advised to impresumed at this time.	lement by TVA, then normal operation would be
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DATE OF	mpi i	DATE EFFECTIVE April 10. 1981
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Sheet No. 3.3	
RULES AND REGULATIONS	
Step 40: Industrial Load Curtailment: Upon notification by TVA, industrial customers w load of 5000 KW or larger will be requested to reduce their load to a stage le (1-5) as requested in the notification by TVA. Hickman-Fulton Counties RECC w take measures to assure such reductions are made and maintained.	vel

Step 45: Notification of resumed normal use to industrial customers 5000 KW and over.

Step 50: Upon notification by TVA of "Step 50" under Emergency Load Curtailment, the following action will be taken by Hickman-Fulton Counties RECC. Firm power loads will be dropped on a rotational basis from Substations. Feeders from Hickman and Clinton Substations will be opened on a rotational basis. Each one will be open 2-hour intervals and closed for 4-hour intervals and endeavoring to maintain a reduction of about 1/3 normal load for Cooperative firm power.

No essential loads are served by this Cooperative other than a Fire Tower northeast of Clinton. We have written them encouraging them to put in stand-by power to this tower since they could not be served without leaving one phase on completely.

The following suggestions may be followed on a rotational basis for interruption of firm load:

- (1) At Substation #1 Hickman.
 - A. Switch for first period of curtailment. Open South 30 OCB on Structure #224.

Open North 30 OCB on

CHECKED Public Servicion

- B. Switch for <u>second</u> period of curtailment. Structure #224.
- C. Switch for third period of curtailment.
 - 1. Open OCB #234, Circuit two.
 - 2. Open OCB #244, Circuit three.

Provisions have been made to have two persons answering telephone calls at the Hickman-Fulton Counties RECC Headquarters office during Step 50 operation. Simultaneously, the TVA new release for Step 50 will be announced at regular intervals over WFUL Studio Radio Station, Fulton, Kentucky. All manufacturing companies will be called by telephone to inform.

Step 55: Normal use and operations will be resumed and OCB's returned to normal with news release of Step 55 announced over WFUL Radio Station at Fulton, Kentucky.

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RULES	AND REGULATIONS

AREA COVERAGE AND LINE EXTENSIONS

1. Normal Service

Electric service will be extended to any permanent residence regardless of location in the service area of Hickman-Fulton Counties RECC without additional cost to the consumer. No consumer will be required to make a contribution in the aid of construction or pay a special minimum for line extensions provided the lines are built to serve a permanent residence.

2. Classified Service

Extension of electric service for other than normal residential, farm and small commercial use shall be provided under conditions that will not seriously jeopardize the objective of the Cooperative of providing electric service for normal service usage. In this catagory are services that may be considered of questionable tenure such as water wells, advertisement signs, barms, grain bins, hog barms, farms which are not regularly operated as such and services with an abnormally low annual load factor.

Service to these consumers may be furnished under the following conditions:

- a) Service may be provided without conditions if only a service drop is required.
- b) If a primary extension is required, the applicant shall sign a five-year continuous service contract and pay the estimated cost of the primary extension (less the first 150') through a minimum bill over the five-year contract period. (This includes cost of transformer, meter and service.)
- c) The basic monthly minimum for classified service shall be five (5) dollars.
- d) At the end of the five year service contract, this consumer will be changed to the normal minimum bill amount in the rate class which they are required to be in under TVA rates applied by this Cooperative.
- e) At no time will any minimum amounts be refunded to the Consumer.

 Public Service Commission

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 by Alexandras AND TARIFFS

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Hickma	an-Fulton Counties RECC	Cancelling P	.s.c.	Ky. No	
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The transfers of the party of t	RULES AND REGU	LATIONS	, i		
	The Hickman-Fulton Counties RECC will bution lines to a residential subdiv conditions:				-
1.	The subdivision being developed must which is divided into ten (10) or more new residential buildings or the two (2) or more new multiple occupancenclosed within exterior walls or firamed of component structural parts (5) or more individual dwelling unit	re lots for the land on which is cy buildings. re walls, build and designed to	e cons is con (a st t, ere	truction structed ructure cted and	
2.	Developer or owner of subdivision may the Company an amount equal to an "ex- tial," if any, between the average of ground distribution systems in reside equivalent overhead distribution systems areas. If the amount deposited exceptions are as a straight of underground and final investigation of underground and final investigations.	stimated averager representative ential subdivisions within the eds the normal ess shall be re	ge cos ve cos sions e util charg efunde	t different of under and of ity service for under the contract of the contract	er- ice der-
3.	The Company will construct underground the subdivision adequate to render s	nd distribution ingle phase 120	n fa ci 0/240	lities in Volt serv	n vice.
4.	Three phase primary mains or feeders to supply local distribution or to so loads may be overhead unless undergrauthorities or chosen by applicant, differential cost of underground sha	erve individual ound is require in either of wh	l thre ed by hich c	e phase governme: ase the	ntal
5.	Developer or successor in title shall factory to the Company for the instatement of its underground facilities	llation, operat			
6.	If developer provides the secondary from service pedestal located on east the applicant fifty dollars (\$50.00) overhead service line to the applicate greater. Service lines to house (prinstalled and ready for inspection a dence. Trench is to be left open until the Company provides secondary service the "estimated average cost different and underground service.	ement, the Comporthe or the equivalent's meter base ovided by develot the same time til inspection rvice lines, approximation	pany s lent c e, whi loper) e as t has b	hall creost of a chever i shall be resi- een made	dit n s ED
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ISSUED BY

P. O. Box 190, Hickman, Kentucky
42050 Address

	FOR Entire Territory Served
	P.S.C. Ky. No
Hickman-Fulton Counties Rural	lst Revised Sheet No. 13
Electric Cooperative Corporation	Cancelling P.S.C. Ky. No.
	Sheet No.
RULES AND RE	GULATIONS

- 7. For all developments that do not meet the conditions set forth in paragraph 1 above, underground distribution will be installed provided an advance to the Company is made in an amount equal to the difference between the Company's estimated cost of underground facilities and overhead facilities, which it would otherwise provide.
- 8. Estimated cost differential per foot of conductor for residential service \$1.90.

Estimated cost differential per foot of conductor for primary service \$1.90.

CHECKED
Public Service Commission
FEB 23 1982
by Session
RATES AND TARIFFS

DATE OF ISSUE February 3, 1981	DATE EFFECTIVE	February 4, 1981 Month Day Year
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Name of Officer	Title	

	FOR Entire Territory Served
	P.S.C. Ky. No.
	Original Sheet No. 14
MAN-FULTON COUNTIES ELECTRIC COOP. CORP.	Cancelling P.S.C. Ky. No.
	Sheet No.
RULES AND REGU	LATIONS

GENERAL POLICY NO. 309.0

SUBJECT: DISTRIBUTION LINE EXTENSION TO MOBILE HOMES

- I. OBJECTIVE: To establish uniform criteria in serving like installations and insure assets of cooperative will be safe guarded.
- II. POLICY: (1) All extensions up to 150 feet of existing facilities suitable for this type service will be made without charge.
 - (2) Suitable attachments for cooperative lines must be provided.
 - (3) Extensions greater than 150 feet from the nearest facility and up to 300 feet shall be made provided the customer shall pay the cooperative a "customer advance for construction", of \$50.00 in addition to any other charges required by the coop for all customers. The advance shall be refunded at the end of one year provided the service to the mobile home continues for that period of time.
 - (4) For extensions greater than 300 feet and up to 1000 feet from the nearest facility, the cooperative shall charge an advance for construction equal to the reasonable cost incurred by it for that portion of the service beyond 300 feet plus \$50.00. For service beyond 1000 feet the extensions policy set forth in section 10 of the Public Service Commission rules and regulations apply.
 - (a) This customer advance shall be refunded to the customer over a 4 year period in equal amounts for each year the service is continued.
 - (b) If the service is discontinued for a period of 60 days or should the mobile home be removed and another not take its place within 60 days, all advance shall be forfeited. If a permanent structure replaces the mobile home at any time during the 4 year period, all advance shall be refunded to the customer when permanent service is installed.

Mr. FFFCTIVE October 3

DATE OF ISSUE September 25, 1975 DATE

DATE EFFECTIVE October 1, 1975

Month Da

year

ISSUED BY

President

Hickman, Kentucky 12050

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		FOR Entire Territory Served			
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KMAN-FULTON COUNTIES ELECTRIC COOP.	CORP.	Cancelling	P.S.C. Ky.	10.	
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GENERAL POLICY NO. 309.0 - Continued

- (c) No refund shall be made to any customer who did not make the advance originally.
- (d) Footage in all cases shall be determined by the route the cooperative must use to reach the service termination.



DATE OF ISS	UE September 25, 1975	DATE EFFECTI	VE October 1, 1	975
	Month Day Year	chepter landers	Month Day	Year
ISSUED BY	John, West	President	Hickman, Ky.	42050

Name/of Officer

TITLE

Hickman, Ky. 42050 Address