

**NORTH ATTLEBOROUGH ELECTRIC DEPARTMENT**

**Construction Requirements  
For  
New Developments –**

**Residential and Commercial/Industrial**

**275 LANDRY AVENUE  
NORTH ATTLEBOROUGH, MA 02760**

Monday thru Wednesday & Friday 8am-4pm

September thru June Thursday 8am-5pm

July & August Thursday 8am-4pm

**Customer Service & Billing**

508-643-6300

**Emergency**

508-643-6300

**Off-Hours Emergency**

508-643-6300

Most recently Updated – December 21, 2010

Per Vote of the Board of Electric Commissioners: March 7, 2007

Effective Date: March 7, 2007

## **LEGISLATIVE HISTORY**

(Most Recent Action by BOELC: **12-21-10**)

Versions: Approved by the BOELC: March 7, 2007

Amended by the BOELC: April 26, 2007 (change from DTE to DPU)  
(Sections 1.01(a), Sections 1.01(c))

Amended by the BOELC: October 30, 2007 (engineering stamp requirement)  
(Sections 2.03, 3.03, 4.03)

Amended by the BOELC: July 16, 2008 (1.03(d) – Electrical Clearance Requirements For New Construction, 2.02. Subdivision Plans. (also, 3.02 & 4.02), 2.03. Electrical Layout. (also 3.03 & 4.03), 2.04 Site Work. (also 3.04 & 4.04), 2.08. Trench. (also 3.08 & 4.08), 2.10. Conduit System. (also 3.10 & 4.10)

Amended by the BOELC: March 19, 2009 - Right of Department to establish Bonds. Amending sections 2.14 (existing), 3.14 (existing) and 4.13 (new)

Amended by the BOELC: December 21, 2010:  
Charging for Subdivision Plan Reviews: Includes revisions in wording and lettering of Articles 2.03 (Underground Residential Subdivisions), 3.03 (Residential Developments and Mixed Use construction - 3 Phase Distribution System), and 4.03 (Commercial/Industrial Developments) addressing the matter of NAED charging for plan reviews and the definition of the term, "Engineer"

file: Policy – Construction Regulations, 12-10

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## Article 1.00 General Information and Requirements

### 1.01. Introduction

The North Attleborough Electric Department (“NAED” or “The Department”) has adopted these **“Rules and Regulations for Electric Service - Construction Requirements For New Developments – Residential and Commercial/Industrial”** (herein referred to as, “Rules and Regulations”) for purposes which include the following:

- 1. Informing applicants seeking new or expanded electric service of the general requirements for the extension of electric services and facilities to their property.*
  - 2. Presenting in written form in one place the Department’s general conditions and requirements for service.*
  - 3. Ensuring that electrical installations connected to the Department’s system are performed in a standard, uniform and proper manner.*
- a) The information and general requirements stated herein, as may be amended from time to time in writing, are an integral part of and are incorporated into the Department’s Schedule of Rates and its Terms and Conditions filed with the **Massachusetts Department of Utilities (“DPU”)**. No agent or employee of the Department is authorized to orally modify any term, provision or rate of the Department.
  - b) The Rules and Regulations are in addition and supplementary to the applicable national, state and local electrical and safety code, the Department’s Terms and Conditions, and to any applicable by-laws, or regulations enacted by governmental authorities having jurisdiction and any additional requirements imposed in any agreement between the Department and the applicant relating to the extension of electric services to the property..
  - c) In the event that these Rules and Regulations are in conflict with any applicable DTE rule or regulation, the **DPU** rules and regulations shall govern until such time these Rules and Regulations have been amended to conform to any conflicting **DPU** rules or regulations.
  - d) The Rules and Regulations are on file with the Department in its main office located at 275 Landry Avenue, North Attleborough, Massachusetts 02760.
  - e) The General Manager shall be responsible for the administration of these Rules and Regulations on behalf of the Department.

### 1.02. Installation of Service

- a) Service can only be supplied to an applicant by an authorized agent of the Department. For purposes of these Rules and Regulations, the term “applicant” shall mean the property owner or its authorized agent seeking electric service to a new subdivision or upgraded electric service to existing renovated buildings and additions.
- b) The Department shall have no duty to coordinate other utilities’ installations or facilities. The applicant should contact all other utilities in a timely manner for their requirements.

### 1.03 – Electrical Clearance Requirements For New Construction.

- a) A new building, renovated existing building or an addition to an existing building shall be designed such that it meets all National Electrical Safety Code clearance requirements before construction work can begin. Clearance from a building structure shall be defined as the distance from any part of the building to any point of any Department facility.
- b) Clearance requirements shall apply to above-ground Department facilities, from the building to overhead high voltage lines or secondary lines, and to ground level Department facilities, from the building to a pad mounted device (i.e. a transformer).
- c) If the new building, renovated existing building or addition to an existing building as designed or constructed fails to meet all current National Electrical Safety Code clearance requirements, such clearance violations shall be corrected before work can proceed. Violations shall be corrected to the Department’s satisfaction prior to building construction, or if the building already has been constructed, as soon as possible. The Department shall not be responsible for any costs associated with the correction of clearance violation(s). The total cost shall be the responsibility of the applicant.
- d) Upon request, the Department, in its discretion, may review building plans for clearance-related issues. However, the applicant bears the **ultimate responsibility** to ensure compliance with clearance requirements.

### 1.04. Mixed Use Construction.

- a) Mixed use facilities combine commercial and residential use in one building.
- b) Charges for mixed use construction will be established by the Department in its sole discretion. Upon the applicant’s request, the Department will prepare a written estimate of the charges before any work for the extension of electric services to mixed use construction commences.

## **Article 2.00 Underground Residential Subdivisions**

### **2.01. Purpose.**

- a) In residential subdivisions designated for underground utilities by the Planning Board, the Department will provide underground distribution system services pursuant to the following terms and conditions.
- b) Provided however, if the Department decides to serve the residential development with a three-phase distribution system, the Department, in its sole discretion, may determine that the terms and conditions of Article 300 – Residential Developments Served by a Three-Phase Distribution System, apply.

### **2.02. Subdivision Plans.**

- a) The applicant shall provide the Department with one electronic copy, in the Department's requested format, and one hard copy of the **subdivision plan prior to its approval.**

### **2.03. Electrical Layout.**

- a) The applicant shall be responsible for designing the electric layout and providing all proposed plans for the electric layout to the Department.

The design and related documentation of the electrical distribution system shall be subject to the review and approval of the Department. The electrical layout shall depict the electrical layout, including, but not be limited to, the approximate location of the riser pole, primary, manholes, high voltage lines, switchgear, transformer vaults, street lights, handholds, and the easement area.

#### **b) REVIEW OF PLANS - GUIDELINES:**

It is the policy of the department to provide three (3) project reviews of the engineering plans submitted by the applicant, without charging an applicant.

The department recommends that its reviews of the engineering plans, constitute:

1. A review of the preliminary plans
2. A review, if needed, of the plans, based upon the comments provided by the department
3. Final plans

The department, at its sole discretion shall determine the accuracy, responsiveness and sufficiency of the information provided by the applicant on the engineering design plans.

If more than three (3) reviews of the project are required then the applicant shall be responsible for the department's costs relating to such review(s). The department's costs shall be determined by the General Manager and shall be predicated upon ensuring that the project plans are responsive to the department's best interests.

**NOTE:** For the purposes of information, only, each review will be different, but, as a general rule, an applicant should assume that departmental review of plans, as presented herein, will be approximately one thousand dollars (\$1,000) per review

"The Department will require that the design of the electric layout and proposed plans be reviewed and "stamped" by a Massachusetts registered professional electrical engineer."

c) An on-site meeting involving the applicant and the Department shall be conducted to review the applicant's proposed plans before NAED approval and before site work preparation can commence.

#### **2.04 Site Work.**

- a) The applicant shall be responsible for performing all excavation and installation of all conduit, transformer foundations, handholes and street lights as shown on the plan approved by the Department. All work shall be subject to the **inspection** and approval of the Department to **ensure consistency with the approved electrical layout and the applicable construction specifications of the Department.**

#### **2.05. Department Work.**

- a) The Department, at the applicant's cost, will install and connect all primary, transformers and secondary cables from transformers to handholes. See Section 2.12 for costs.

#### **2.06 Department Responsibilities.**

The Department will provide at such additional cost as determined by the Department in its sole discretion:

- Specifications for all materials required to be provided and installed by the applicant;
- Transformers, high voltage and secondary cable (except services) and meters;
- Fiberglass service handhole(s); and/or

- Fiberglass transformer pad foundation(s).

### **2.07. Responsibilities of the Applicant.**

The applicant will provide and install at its sole expense and per the Department's specifications:

- 2-4-to-6" PVC conduit – type EB35 or schedule 40;
- 4-to-6" PVC sweeps – type EB35 or schedule 40;
- 3000 PSI concrete encased electric conduit;
- Kevlar pulling/measuring tape (1800#) in all conduits;
- street light pole(s) and fixture(s) (if required) (see Section 2.13);
- 4-to-6" PVC conduit for riser pole (18" up the pole); and
- 36" PVC sweep for riser pole.
- Materials supplied by the applicant are not included in and are in addition to the costs assessed in Section 2.12.

**2.08. Trench.**

- a) Before any backfilling or concrete encasement is done, trench work must be inspected **and approved in writing** by the Department. **The applicant should provide the Department at least 48 hours prior written notice, Saturdays, Sundays and legal holidays excluded,** before a Department representative will schedule a trench inspection.

**2.09. Embankments and Slopes.**

- a) If a transformer or handhole location is required to be placed in an embankment, it shall be the responsibility of the applicant to clear and level an area of 10' around transformer for proper installation and to provide a retaining wall to protect the installation. Similarly, if a transformer or handhole must be placed on a down slope, the applicant shall build up and level an area suitable for a proper installation and provide an acceptable means to protect against washout.

**2.10. Conduit System.**

- a) Upon **final** inspection and acceptance of the conduit system by the Department, the applicant shall convey, or cause to be conveyed, to the Department ownership of the conduit system, except for high voltage and secondary service conduit on private property.. The Department reserves the right to not energize the system electrical facilities prior to the execution of a written agreement conveying such ownership of the conduit system on such terms and conditions acceptable to the Department.

**2.11 Easement.**

- a) Where it is required that the Department's facilities be located on private property, the owners of record shall grant to the Department, without cost to the Department, perpetual rights and easements free and clear of encumbrances of record, including rights to ingress and egress, to the extent the Department deems the same necessary for the safe and adequate provision of electric service, and the form and the content of such rights and easement shall be acceptable to and approved by the Department. The applicant shall be responsible for securing such rights and easements from the owners of record.
- b) The Department reserves the right to not energize the system nor install any electrical facilities prior to the Department's receipt of an easement approved by the Department. In its discretion, the Department may commence installation or energize service upon receipt of a binding notice of intent to grant an easement to the Department issued by the property owner(s) or authorized agent(s).
- c) Under such circumstances, delays to service connections can be avoided by applying for service at the earliest possible date. Any questions or details pertaining to the required easement should be clarified with the Department.

**2.12. Cost.**

- a) For Planning Board approved subdivisions with no existing electric facilities, the Department will furnish and install electrical facilities as provided in this Article 2.00 at the sole expense of the applicant. The Department will prepare an estimate of applicable charges. The estimated cost of the Department's work shall be paid prior to construction.
- b) Upon the completion of its work, the Department will prepare a final bill reflecting the actual cost of the work performed by the Department. The applicant shall pay in full the difference between the estimated cost and the final cost before the Department will provide electric service.
- c) In the case of subdivisions where the Planning Board has agreed to allow construction to proceed in "phases", the fee shall be paid based on each house lot in a given phase prior to the start of construction of electric facilities.
- d) The applicant shall be responsible for costs of its own work, equipment and materials. Additional costs may be incurred for street lighting services under Section 2.13.

**2.13. Street Lighting.**

- a) For subdivisions requiring street lighting, the Department will supply the street light pole(s) and fixture(s) per Department specifications. The applicant shall be responsible for the cost of the street light poles and fixtures and for installing the fixture per Department specifications as well as the secondary supply for the street light.
- b) At an additional cost, the Department will install the street light head(s) and connect the street light wires at the source end.
- c) The Department will own and maintain the street light system until the street becomes an accepted public way. At which time, ownership of the streetlights shall be transferred to the Town. Until ownership of the streetlights is transferred to the Town, the applicant shall be responsible for all maintenance costs.
- d) Prior to the Department energizing a street light, the applicant shall submit a security deposit in the amount of \$100 per light to cover the cost electricity.
- e) The applicant shall be responsible for the cost of electricity for the street lights until the street becomes an accepted public way.

**2.14. Agreement.**

- a) Before any work to extend electric service commences, a written agreement shall be signed by the Department and the applicant specifying all of the terms and conditions, including all charges and payment obligations, relating to the extension of electric service to the buildings or property.
  
- b) The Department, at its discretion, may require the applicant to post a bond to secure the applicant's obligations hereunder. The Department's General Manager shall be responsible for determining the amount and terms of the bond based on his/her review of the subdivision plans and plans for the electric layout. The General Manager shall be responsible for the establishment of the criteria of the bond and shall be responsible for the administration of the bond.

If a bond will be required, the Department shall notify the applicant in writing, and the bond shall be posted with NAED, before any work begins.

The General Manager, on a regular basis, shall provide the Board of Electric Commissioners with regular updates about the status of all bonds.

**Article 3.00**  
**Residential Developments and Mixed Use Construction Developments Served by a**  
**Three-Phase Distribution System**

**3.01. Purpose.**

- a) Article 3.00 applies to residential and mixed-use developments that the Department, in its sole discretion, decides to serve with a three-phase distribution system. In residential and mixed use developments designated for underground utilities by the Planning Board, the Department will provide underground distribution system services under the following terms and conditions.

**3.02. Subdivision Plans.**

- a) The applicant shall provide the Department with one electronic copy, in the Department's requested format, and one hard copy of the **subdivision plan prior to its approval.**

**3.03. Electrical Layout.**

- a) The applicant shall be responsible for designing the electric layout and providing all proposed plans for the electric layout to the Department.

The design and related documentation of the electrical distribution system shall be subject to the review and approval of the Department. The electrical layout shall depict the electrical layout, including, but not be limited to, the approximate location of the riser pole, primary, manholes, high voltage lines, switchgear, transformer vaults, street lights, handholds, and the easement area.

**b) REVIEW OF PLANS - GUIDELINES:**

It is the policy of the department to provide three (3) project reviews of the engineering plans submitted by the applicant, without charging an applicant.

The department recommends that its reviews of the engineering plans, constitute:

1. A review of the preliminary plans
2. A review, if needed, of the plans, based upon the comments provided by the department
3. Final plans

The department, at its sole discretion shall determine the accuracy, responsiveness and sufficiency of the information provided by the applicant on the engineering design plans.

If more than three (3) reviews of the project are required then the applicant shall be responsible for the department's costs relating to such review(s). The department's costs shall be determined by the General Manager and shall be predicated upon ensuring that the project plans are responsive to the department's best interests.

**NOTE:** For the purposes of information, only, each review will be different, but, as a general rule, an applicant should assume that departmental review of plans, as presented herein, will be approximately one thousand dollars (\$1,000) per review

"The Department will require that the design of the electric layout and proposed plans be reviewed and "stamped" by a Massachusetts registered professional electrical engineer."

c) An on-site meeting involving the applicant and the Department shall be conducted to review the applicant's proposed plans before NAED approval and before site work preparation can commence.

### **3.04. Site Work.**

a) The applicant shall be responsible for performing all excavation and installation of all conduit, transformer foundations, handholes and street lights as shown on the plan approved by the Department. All work shall be subject to the **inspection** and approval of the Department to **ensure consistency with the approved electrical layout and the applicable construction specifications of the Department.**

### **3.05. Department Work.**

a) At the applicant's sole expense, the Department will install and connect all high voltage cable, transformers, and meters.

### **3.06. Department Responsibilities.**

At the applicant's sole expense, the Department will:

- provide to the applicant specifications for all materials required to be provided and installed by the applicant;
- provide and install all high voltage cable, related high voltage equipment, and meters;
- provide and install transformers;

- provide and install fiberglass service handhole(s);
- provide and install fiberglass transformer pad foundation(s); and
- provide and install pole line as required.

### **3.07. Applicant's Responsibilities.**

The applicant, at its sole expense, shall provide all required plans and documentation regarding the proposed electric system and shall provide and install, as per the Department's specifications:

- all necessary easements for the installation of facilities and the provision of service pursuant to Section 3.09;
- transformer vaults and/or foundations, handholes, manholes, grounding systems, and conduit including spacers, glue and pulling strings and any other appurtenances as indicated by the Department on the plan;
- secondary services and service conduit from the Department's equipment to each designated meter location;
- the high voltage conduit bank is typically 2-6" type EB 35 or schedule 40 conduits encased in 3000 PSI concrete;
- Kevlar pulling/measuring tape (1800#) in all conduits;
- 6" PVC conduit for riser pole (18" up the pole);
- 36" PVC sweep for riser pole;
- Street light pole(s) and fixture(s) (if required) (see Section 3.11); and
- transformer vaults and manholes as designated on the plan approved by the Department.

### **3.08. Trench.**

a) Before any backfilling or concrete encasement is done, trench work must be inspected **and approved in writing** by the Department. **The applicant should provide the Department at least 48 hours prior written notice, Saturdays, Sundays and legal holidays excluded**, before a Department representative will schedule a trench inspection.

### **3.09. Embankments and Slopes.**

a) If a transformer or handhole location is required to be placed in an embankment, it shall be the responsibility of the applicant to clear and level an area of 10' around transformer for proper installation and to provide a retaining wall to protect the installation. Similarly, if a transformer or handhole must be placed on a down slope, the applicant shall build up and level an area suitable for a proper installation and provide an acceptable means to protect against washout.

### **3.10. Conduit System.**

a) Upon **final** inspection and acceptance by the Department, the applicant shall convey, or cause to be conveyed, to the Department ownership of the conduit system, except

for high voltage and secondary service conduit on private property. The Department reserves the right to not energize the system electrical facilities prior to the execution of a written agreement conveying such ownership of the conduit system on such terms and conditions acceptable to the Department.

### **3.11. Easement.**

- a) The applicant, at its sole expense, shall be responsible for obtaining all necessary easements for any facilities to be owned by the Department. Such easements shall grant to the Department, perpetual rights and easements free and clear of encumbrances of record, including rights to ingress and egress, to the extent the Department deems the same necessary for the safe and adequate provision of electric service, and the form and the content of such rights and easement shall be acceptable to and approved by the Department.
- b) The Department reserves the right to refuse to energize the system or install any electrical facilities prior to the Department's receipt of an easement approved by the Department. In its discretion, the Department may commence installation or energize service upon receipt of a binding notice of intent to grant an easement to the Department issued by the property owner(s) or authorized agent(s).

### **3.12. Cost.**

- a) The Department will furnish and install electrical facilities as described in this Article 3.00 at the applicant's sole expense. The applicant is responsible for the costs for all equipment, facilities and work furnished by the applicant.
- b) For work and materials provided by the Department, the Department will prepare an estimate of applicable charges.
- c) The estimated cost shall be paid by the applicant prior to construction.
- d) Upon the completion of the work, the Department will prepare a final bill reflecting the actual cost of the work performed by the Department. The applicant shall pay in full the difference between the estimated cost and the final cost before the Department will provide electric service.

### **3.13. Street Lighting.**

- a) For developments requiring street lighting, the applicant shall be responsible for installing the fixtures and any secondary supply needed for the streetlights per Department specifications. At the applicant's cost, the Department will supply the streetlight pole(s) and fixture(s) per the Department's specifications and install the streetlight head(s) and connect the street light wires at the source end.

- b) Prior to the Department energizing a street light, the applicant shall provide a security deposit in the amount of \$100 per light to cover charges for electricity. The applicant shall be responsible for paying the cost of electricity of the streetlights until the roadway becomes an accepted public way.
- c) The Department will own and maintain the street light system until the street becomes an accepted public way. At which time, ownership of the streetlights shall be transferred to the Town. Until ownership of the streetlights is transferred to the Town, the applicant shall be responsible for all maintenance costs.

**3.14. Agreement.**

- b) Before any work to extend electric service commences, a written agreement shall be signed by the Department and the applicant specifying all of the terms and conditions, including all charges and payment obligations, relating to the extension of electric service to the buildings or property.
- b) The Department, at its discretion, may require the applicant to post a bond to secure the applicant's obligations hereunder. The Department's General Manager shall be responsible for determining the amount and terms of the bond based on his/her review of the subdivision plans and plans for the electric layout. The General Manager shall be responsible for the establishment of the criteria of the bond and shall be responsible for the administration of the bond.

If a bond will be required, the Department shall notify the applicant in writing, and the bond shall be posted with NAED, before any work begins.

The General Manager, on a regular basis, shall provide the Board of Electric Commissioners with regular updates about the status of all bonds.

**Article 4.00**  
**Commercial/Industrial Developments**

**4.01. Purpose.**

- a) **Applicability:** The requirements of this Article 400 shall apply to commercial/industrial developments designated for underground utilities by the Planning Board. These requirements shall also apply to individual commercial and/or industrial customers new or upgraded service installations. Existing commercial and/or industrial customers increasing their service size shall follow all the applicable requirements in this booklet. In some cases, these individual commercial and/or industrial customers may be serviced from an overhead line extension, if authorized by the Department in its sole discretion.

**4.02. Subdivision Plans.**

- a) The applicant shall provide the Department with one electronic copy, in the Department's requested format, and one hard copy of the **subdivision plan prior to its approval.**

**4.03. Electrical Layout.**

- a) The applicant shall be responsible for designing the electric layout and providing all proposed plans for the electric layout to the Department.

The design and related documentation of the electrical distribution system shall be subject to the review and approval of the Department. The electrical layout shall depict the electrical layout, including, but not be limited to, the approximate location of the riser pole, primary, manholes, high voltage lines, switchgear, transformer vaults, street lights, handholds, and the easement area.

**b) REVIEW OF PLANS - GUIDELINES:**

It is the policy of the department to provide three (3) project reviews of the engineering plans submitted by the applicant, without charging an applicant.

The department recommends that its reviews of the engineering plans, constitute:

1. A review of the preliminary plans
2. A review, if needed, of the plans, based upon the comments provided by the department
3. Final plans

The department, at its sole discretion shall determine the accuracy, responsiveness and sufficiency of the information provided by the applicant on the engineering design plans.

If more than three (3) reviews of the project are required then the applicant shall be responsible for the department's costs relating to such review(s). The department's costs shall be determined by the General Manager and shall be predicated upon ensuring that the project plans are responsive to the department's best interests.

**NOTE:** For the purposes of information, only, each review will be different, but, as a rule, an applicant should assume that departmental review of plans, as presented herein, will be approximately one thousand dollars (\$1,000) per review

"The Department will require that the design of the electric layout and proposed plans be reviewed and "stamped" by a Massachusetts registered professional electrical engineer."

c) An on-site meeting involving the applicant and the Department shall be conducted to review the applicant's proposed plans before NAED approval and before site work preparation can commence.

#### **4.04. Site Work.**

- b) The applicant shall be responsible for performing all excavation and installation of all conduit, transformer foundations, handholes and street lights as shown on the plan approved by the Department. All work shall be subject to the **inspection** and approval of the Department to **ensure consistency with the approved electrical layout and the applicable construction specifications of the Department.**
- a) For individual commercial and/or industrial customers served by an overhead line extension, the Department shall install, own and maintain the pole line, conduit and padmounts at the applicant's sole expense.

#### **4.05. Department Work.**

- a) At the applicant's sole expense, the Department will install and connect all high voltage cable, transformers, and meters.
- b) For individual commercial and/or industrial customers served by an overhead line extension, the Department shall install, own and maintain the pole line at the applicant's sole expense.

#### **4.06. Department Responsibilities.**

At the applicant's sole expense, the Department will:

- provide specifications for all materials required to be provided and installed by the applicant;

- provide and install all high voltage cable, related high voltage equipment, transformers, and meters; and/or
- provide and install pole line as required.

#### **4.07. Applicant's Responsibilities.**

The applicant, at its sole expense, shall provide all required plans and documentation regarding the proposed electric system and shall provide and install, as per the Department's specifications:

- all necessary easements for the installation of facilities and the provision of service pursuant to Section 4.08;
  - transformer vaults and/or foundations, handholes, manholes, grounding systems, and conduit including spacers, glue and pulling strings and any other appurtenances as indicated on the plan approved by the Department;
  - secondary services and service conduit from the Department's equipment to each designated meter location.;
  - the high voltage conduit bank is typically 2-6" type EB 35 or schedule 40 conduits encased in 3000 PSI concrete;
  - 6" PVC conduit for riser pole (18" up the pole); and
  - 36" PVC sweep for riser pole.
- a) Indoor transformers, associated protective devices and switchgear necessary for the electrical service to the Customer shall be installed, owned and maintained by the Customer.
- b) The Department shall own and maintain all high voltage conduit systems, transformer foundations and grounding systems and all secondary cables and secondary conduit that are located in the public ways. When the Town accepts a public way, ownership of all facilities located therein shall automatically vest in the Department. The applicant shall be responsible for any facilities located on private property. [This provision was removed from (a) and placed into a new section (c). Need to discuss ownership of the facilities in light of Section 4.08.]

#### **4.08. Trench.**

- a) Before any backfilling or concrete encasement is done, trench work must be inspected **and approved in writing** by the Department. **The applicant should provide the Department at least 48 hours prior written notice, Saturdays, Sundays and legal holidays excluded**, before a Department representative will schedule a trench inspection.

#### **4.09. Embankments and Slopes.**

- a) If a transformer or handhole location is required to be placed in an embankment, it shall be the responsibility of the applicant to clear and level an area of 10' around transformer for proper installation and to provide a retaining wall to protect the

installation. Similarly, if a transformer or handhole must be placed on a down slope, the applicant shall build up and level an area suitable for a proper installation and provide an acceptable means to protect against washout.

#### **4.10. Conduit System and Related Facilities.**

- a) Upon **final** inspection and acceptance of the conduit system by the Department, the applicant shall convey, or cause to convey, ownership of the conduit system, excluding high voltage and secondary service conduit on private property, to the Department.. The Department reserves the right to not energize the system electrical facilities prior to the execution of a written agreement conveying such ownership of the conduit system on such terms and conditions acceptable to the Department.

#### **4.11. Easement.**

- a) The applicant, at its sole expense, shall be responsible for obtaining all necessary easements for the any facilities to be owned by the Department. Such easements shall grant to the Department, perpetual rights and easements free and clear of encumbrances of record, including rights to ingress and egress, to the extent the Department deems the same necessary for the safe and adequate provision of electric service, and the form and the content of such rights and easement shall be acceptable to and approved by the Department.
- b) The Department reserves the right to refuse to energize the system or install any electrical facilities prior to the Department's receipt of an easement approved by the Department. In its discretion, the Department may commence installation or energize service upon receipt a binding notice of intent to grant an easement to the Department issued by the property owner(s) or authorized agent(s).
- c) To avoid delays in receiving service connections, the Department suggests that applicants apply for service at the earliest possible date. However, the Department does not guarantee that service connections can or will be made by a specific date or within any particular timeframe. The Department encourages applicants to contact the Department if they have any questions regarding the requirements of the easements. .

#### **4.12. Cost**

- e) The Department will furnish and install electrical facilities as provided in this Article 4.00 at the sole expense of the applicant. The Department will prepare an estimate of applicable charges. The estimated cost of the Department's work shall be paid prior to construction.
- b) Upon the completion of its work, the Department will prepare a final bill reflecting the actual cost of the work performed by the Department. The applicant shall pay in full the difference between the estimated cost and the final cost before the Department will provide electric service.

**4.13. Agreement**

- c) Before any work to extend electric service commences, a written agreement shall be signed by the Department and the applicant specifying all of the terms and conditions, including all charges and payment obligations, relating to the extension of electric service to the buildings or property.
  
- b) The Department, at its discretion, may require the applicant to post a bond to secure the applicant's obligations hereunder. The Department's General Manager shall be responsible for determining the amount and terms of the bond based on his/her review of the subdivision plans and plans for the electric layout. The General Manager shall be responsible for the establishment of the criteria of the bond and shall be responsible for the administration of the bond.

If a bond will be required, the Department shall notify the applicant in writing, and the bond shall be posted with NAED, before any work begins.

The General Manager, on a regular basis, shall provide the Board of Electric Commissioners with regular updates about the status of all bonds.