



SILICON VALLEY POWER

RULES AND REGULATIONS

CITY OF SANTA CLARA



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SILICON VALLEY POWER RULES AND REGULATIONS CITY OF SANTA CLARA



1. GENERAL STATEMENT AND DEFINITIONS

1.A GENERAL STATEMENT

This document shall be referred to as the Silicon Valley Power, City of Santa Clara, Rules and Regulations. Silicon Valley Power will furnish Electric Services in accordance with these adopted Rules and Regulations and all other applicable City of Santa Clara resolutions and ordinances to any Customer within the corporate limits of the City of Santa Clara, and to areas outside City limits as the City may designate. Silicon Valley Power, Finance and other City departments as circumstances require, jointly and singly retain the authority to enforce these Rules and Regulations.

1.B INCORPORATION OF MUNICIPAL SERVICES DIVISION RULES AND REGULATIONS

These Rules and Regulations hereby incorporate by reference all of the Rules and Regulations of the Municipal Services Division of the Department of Finance of the City of Santa Clara. Rules governing the establishment of credit, rendering and payment of bills, financial aspects of temporary service or discontinuance of service for electricity are contained in the Municipal Services Division Rules and Regulations.

1.C DEFINITIONS

Terms appearing with an initial letter capitalized, are defined terms. The definitions set forth in the Rules and Regulations for the Municipal Services Division, Department of Finance are incorporated by reference as set forth in full, and those definitions are not repeated here; reference should be made to Section 1.B of Municipal Services Division Rules and Regulations. Unless the particular provision or the context otherwise requires, the definitions and provisions contained in Silicon Valley Power Rules and Regulations Section 1.C and in Municipal Services Division Rules and Regulations Section 1.B, shall govern the construction, meaning, and application of words and terms used in these Rules

1. GENERAL STATEMENT AND DEFINITIONS (Continued)

and Regulations. The singular of a word or term shall include the plural and the plural shall include the singular. Such words or terms as defined in this Silicon Valley Power Rules and Regulations Section 1.B shall be initially capitalized when used in context of these Rules and Regulations.

City: The City of Santa Clara, California, acting through its elected officials or its duly authorized officers, employees, agents, or fictitious business names.

City Code: The Code of the City of Santa Clara, California.

City Employee: Any authorized City employee, agent or representative.

Customer: The Person, Persons, firm, association, governmental agency, corporation or other legal entity who use, are entitled to use, or benefit from the use of City of Santa Clara Utilities.

Discontinue: To stop the delivery of Utility Service to a Customer or physically limit or disconnect the Service Connection in such a way that only the City of Santa Clara can make full Restoration.

Distribution System: All overhead and/or underground equipment used to supply electricity to the Utility Connection Point.

Electric Service: Service, including but not limited to the provision of electricity and other related services by Silicon Valley Power and for which fees or rates are charged.

Energy Data Pulse: Digital signals that carry instantaneous energy use information and which are produced by Silicon Valley Power installed pulse generating equipment.

Master Meter Service: When multiple tenants/units are served Electric Service on the same Premises through a single metered Service Connection.

Municipal Services Division: The Municipal Services Division of the Finance Department that is responsible for the billing and collection of fees and charges for Utility Services.

Owner: The legal owner of Premises receiving one or more Municipal Services, or the authorized agent of such legal owner.

Parallel Generation: The production and delivery of electric power ~~electrically connected~~ to the Distribution System by generators not owned or controlled by Silicon Valley Power.

1. GENERAL STATEMENT AND DEFINITIONS (Continued)

Person: Any individual, partnership, corporation, public agency, or other organization operating as a single entity.

Premises: Any building, lot, parcel, real estate, land, or portion of land, whether improved or unimproved, occupied or unoccupied, including adjacent streets, sidewalks, pathways, parking strips, all structures, electrical equipment or portions thereof occupied or operated by a Customer or tenants of Customer and situated on an integral parcel of land undivided by a public highway, street or railway to which one or more Utility Services is or could be provided.

~~**Renewable Electrical Generation Facility:** A Parallel Generation facility consisting only of generation equipment that meets the definition of “renewable electrical generation facility” as defined in Section 25741 of the California Public Resources Code, as amended from time to time.~~

Restoration: The reconnection of a full Service Connection or other resumption of electric and/or water service that has been Discontinued.

Service Lateral: The group of conductors, whether overhead or underground, necessary to connect the Customer’s Utility Connection Point to Silicon Valley Power’s Distribution System, regardless of the location of Silicon Valley Power’s meters or transformers. An overhead Service Connection, sometimes referred to as a “Service Drop,” is the group of conductors between the Customer’s building or other permanent support and Silicon Valley Power’s adjacent pole.

Service Voltage: The voltage at the point of metering.

Silicon Valley Power or SVP: The fictitious business name through which the City of Santa Clara operates its Electric Department.

Silicon Valley Power Equipment: Any property, facility, apparatus, or material associated with providing Electric Service including, but not limited to, ducts, conduits, conductors, transformers, protective devices, wiring, switches, and meters.

Silicon Valley Power’s Operating Convenience: The utilization of facilities or practices that contribute to the overall efficiency, safety or reliability of the electric utility operations. Silicon Valley Power’s Operating Convenience does not refer to Customer convenience or adoption of practices required to comply with applicable ordinances, rules and regulations, or similar requirements of public authorities.

1. GENERAL STATEMENT AND DEFINITIONS (Continued)

Tamper: To rearrange, bypass, damage, alter, interfere with, or actions that could cause and/or prevent the normal functioning of Silicon Valley Power Equipment.

Total Cost: The sum of all direct and indirect expenses including labor, material, overhead and use of Silicon Valley Power Equipment to complete a particular repair or addition to the Distribution System, and the cost of associated resources consumed.

Utility Connection Point: The point of delivery of electricity to a Customers Premises as determined by Silicon Valley Power.

2. NOTICES

2.A NOTICES TO THE CUSTOMER

Notice that the City may give to a Customer shall be given in writing, either delivered in person or properly enclosed in a sealed envelope and deposited in the United States Mail, postage prepaid, addressed to the Customer's last known address.

2.B NOTICES TO SILICON VALLEY POWER

If such notice concerns a proposed increase in load, a relocation of Electric Service, an increase in size of Electric Service, or installation of an electric generator, to:

Silicon Valley Power
Attn.: Distribution Estimating
1500 Warburton Ave.
Santa Clara, CA 95050

3. CONTRACTS

3.A **ELECTRIC SERVICE CONTRACTS**

Contracts will not be required as a condition of providing Electric Service except:

- 3.A.1 As conditions in the regular schedule of rates approved or accepted by the City;
- 3.A.2 As required for electric extensions for Temporary Electric Service or speculative projects;
- 3.A.3 As required for street lighting service;
- 3.A.4 As required for construction purposes as a condition of providing Electric Service;
- 3.A.5 As required for Electric Service which in the judgment of Silicon Valley Power requires special operating conditions or Silicon Valley Power's Operating Convenience;
- 3.A.6 As required for non Silicon Valley Power-owned Parallel Generation;
- 3.A.7 As required to provide Energy Data Pulses;
- 3.A.8 As required to provide Net Metering for photovoltaic interconnection.

4. RATES, OPTIONAL RATES AND RATE SCHEDULES

4.A RATES

The rates to be charged by and paid to Municipal Services Division for Electric Service shall be the rates legally in effect and on file with the City Clerk, where they shall be available for public inspection. Unless otherwise stated on the schedule itself, the rate schedules of Silicon Valley Power are only applicable for Electric Services furnished entirely by Silicon Valley Power without interconnection with any other source of supply.

4.B TEMPORARY RATE SCHEDULE

An Applicant for Electric Service may be assigned a temporary rate schedule until qualification parameters for the appropriate rate schedule are met. The temporary rate schedule period shall not exceed twelve (12) months and any change in rate schedule due to new Electric Service qualification will apply retroactive to the date of such qualification. The selection of the temporary rate schedule shall be made by Municipal Services Division, and shall be based on historical usage of the Premises, Customer, or an estimate of usage if historical usage is not available, or as otherwise provided for by these Rules and Regulations.

4.C ESTABLISHMENT OF NEW OR OPTIONAL RATES

4.C.1 The City will take measures as may be practicable to inform all Customers who may be eligible for Electric Service under new or modified rate schedules.

4.C.2 In the case where the City adopts new rate schedules which allow a Customer to qualify for more than one rate or schedule, the Customer may request Municipal Services Division assistance in selecting the most appropriate rate or schedule, resulting in the lowest charges for the Customer, or in the absence of a request, Municipal Services Division shall have the authority to make the selection based on the available information.

4. RATES, OPTIONAL RATES AND RATE SCHEDULES (Continued)

4.D REASSESSMENT OF RATE SCHEDULE QUALIFICATION

A Customer may request a reassessment of their qualification for a particular rate schedule. A change to a different applicable schedule, as approved by Municipal Services Division, shall become effective after the next regular meter reading following the date of approval by Municipal Services Division. The effective date may be delayed if a change in Electric Service hardware, electric meter or other associated equipment is required. Municipal Services Division will not be required to make a change in rate schedules after the initial change until twelve (12) consecutive months of Electric Service have been rendered under the schedule then in effect, unless a new schedule is requested in writing and authorized by Municipal Services Division, or unless operating conditions have changed sufficiently to warrant a change in schedule. Notices shall be served as indicated in Silicon Valley Power Rules and Regulations Section 2.

5. METER RE-READS, METER TESTS AND BILLING ADJUSTMENTS

5.A REQUEST BY A CUSTOMER FOR A METER TO BE RE-READ

A Customer may request Municipal Services Division to re-read the electric meter and make adjustments, if necessary, to render an accurate billing in accordance with the limits set by Municipal Services Division Rules and Regulations Section 6.H. Municipal Services Division shall respond to requests for meter re-reads once every six (6) months at no charge. Municipal Services Division shall levy a charge set forth in the Municipal Fee Schedule, adopted by resolution of the City Council, for each additional request within the same six (6) month period, unless the re-read indicates that a read error has resulted in an incorrect billing to the Customer.

5.B METER TEST INITIATED BY SILICON VALLEY POWER

Each electric meter will be tested at regular intervals as determined by Silicon Valley Power. If the meter in question falls outside the tolerance guidelines of more than two percent (2%) fast or slow under conditions of normal operations, subsequent charge or credit adjustments will be limited to the parameters set by Municipal Services Division Rules and Regulations Section 6.H.3.

5.C METER TEST INITIATED BY A CUSTOMER REQUEST

5.C.1 A request for a meter test must be submitted to Municipal Services Division, and the meter shall be tested in accordance with these Rules and Regulations.

5.C.2 Each Customer is entitled to one free meter test per year. A fee will be charged for every meter test thereafter within the same one year period. If the meter is found, upon testing, to register more than two percent (2%) fast or slow under conditions of normal operations, no fee will be charged regardless of how many times the meter is tested in one year.

5.D ADJUSTMENT OF BILLS FOR METER ERROR

5.D.1 Fast Meters

When, as the result of any test, a meter under normal conditions is found to be registering more than two (2%) greater than actual consumption,

**5. METER RE-READS, METER TESTS AND BILLING ADJUSTMENTS
(Continued)**

Municipal Services Division shall make necessary adjustments to the Customer's bill (credit or charge) to correct the overcharge based on the corrected meter readings (0% greater than actual consumption) for the period in which the meter was in use in accordance with Municipal Services Division Rules and Regulations Section 6.H.3.

5.D.2 Slow Meters

Upon testing, if a meter under normal conditions is found to register less than ninety-eight percent (98%) of the actual consumption, Municipal Services Division may render a bill for the undercharge based on the corrected meter readings (100% actual consumption) for the period in which the meter was in use in accordance with Municipal Services Division Rules and Regulations Section 6.H.3.

5.D.3 Non-registering Meters

Municipal Services Division may bill the Customer for energy consumed while the meter was not registering. At Municipal Services Division's option, the bill will be computed on an estimate of consumption based on the Customer's use during the same season of the preceding year or based on an alternate method of estimation determined by Municipal Services Division, which includes, but is not limited to, the City's experience with Customer's usage on the same rate schedule; and the general characteristics of the Customer's operations.

6. SILICON VALLEY POWER DISTRIBUTION SYSTEM ON CUSTOMER PREMISES

6.A NEW DEVELOPMENTS

All new developments shall be in accordance with Section 17.15.210 of the City Code.

6.B EXISTING DEVELOPMENTS

For changes to an existing Electric Service, the Customer shall provide, without cost to Silicon Valley Power, all required facilities as listed in Section 17.15.210(b) of the City Code prior to any work performed by Silicon Valley Power. The Customer shall pay to Silicon Valley Power a load increase fee as listed in the current Municipal Fee Schedule.

6.C RELOCATION OF EXISTING SILICON VALLEY POWER EQUIPMENT

Any relocation of existing Silicon Valley Power Equipment necessitated by development shall be paid for by the requesting party.

6.D EASEMENTS

Electric easements shall be provided by the Customer for all Silicon Valley Power Equipment except overhead service drops. Silicon Valley Power will determine the location of any necessary easements and prepare document(s) for the Customer's signature, unless such easements are dedicated to Silicon Valley Power on a tract or parcel map.

7. ACCESS, INTERFERENCE, TAMPERING, AND ENERGY THEFT

7.A SILICON VALLEY POWER RIGHT OF ACCESS

- 7.A.1 Customer shall provide Silicon Valley Power with immediate and unhindered access, without notice, to and from Customer Premises for any purpose reasonably connected with the supply of Electric Service, including but not limited to, inspection, reading, testing, maintenance, removal, and replacement of Silicon Valley Power Equipment.
- 7.A.2 When access to Customer Premises is not immediate and unhindered, Silicon Valley Power may take any enforcement actions permitted by Section 1.05.070 of the City Code, and in addition, any civil or criminal remedies available to Silicon Valley Power under state law or the City Code. Furthermore, Silicon Valley Power may require Customer to provide, without cost to Silicon Valley Power, a new approved location for access to Silicon Valley Power Equipment.

7.B INTERFERENCE

Any Person preventing or interfering with any City Employee in the lawful discharge of his or her duties is subject to arrest, prosecution, and punishment in accordance with California Penal Code Section 71 as such section may be amended from time to time by the State Legislature.

7.C TAMPERING; THEFT OF ELECTRIC SERVICE

Tampering with Silicon Valley Power Equipment and/or theft of Electric Service is a violation of California Penal Code Section 498 and Section 13.05.070 of the City Code. In addition to the penalties for theft of Electric Services set forth in California Penal Code Section 498 and Section 13.05.070 of the City Code, as such section may be amended from time to time, such conduct shall constitute grounds for the discontinuance of Electric Service by Silicon Valley Power until such time as arrangements satisfactory to Silicon Valley Power are made to reimburse Silicon Valley Power for the full value of electric Service unlawfully obtained.

8. SHORTAGE OF SUPPLY AND INTERRUPTION OF DELIVERY

8.A SHORTAGE OF SUPPLY

- 8.A.1 Silicon Valley Power will exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of Electric Services to the Customer, but does not guarantee continuity or sufficiency of supply. Silicon Valley Power will not be liable for any damage resulting from the interruption, shortage, or insufficient supply of Electric Services to the Customer.
- 8.A.2 If a shortage of supply occurs, Silicon Valley Power will make an apportionment of the available supply of energy among Customers as ordered or directed by the City Council. In the absence of an order or direction by the City Council, the City Manager will apportion the available supply of energy among Customers in a reasonable manner.

8.B INTERRUPTION OF SUPPLY

- 8.B.1 Silicon Valley Power will have the right to temporarily suspend Electric Service whenever necessary to make repairs or improvements to its Distribution System. As circumstances permit, notice will be given to Customers affected thereby, and the repairs or improvements will be completed as rapidly as possible during normal Silicon Valley Power working hours, and where possible, with the least inconvenience to the Customers.
- 8.B.2 When requested by the Customer, and where circumstances permit some flexibility in scheduling of necessary repairs or improvements, Silicon Valley Power may at its sole option perform the work during other than normal Silicon Valley Power working hours for the increased convenience of the Customer, providing that the Customer agrees in writing, prior to the performance of said work, to pay for the Total Cost incurred by Silicon Valley Power as a result of performing said work at other than during normal Silicon Valley Power working hours.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

9.A GENERAL REQUIREMENTS

9.A.1 Service Frequency

Alternating current of approximately 60 Hertz (cycles per second) frequency is furnished by Silicon Valley Power.

9.A.2 Utility Connection Point

Silicon Valley Power will determine the location of the Utility Connection Point, service voltage, and whether service is overhead or underground. The Customer shall run its Service Lateral to this point. Silicon Valley Power will make the connection.

9.A.3 Service Lateral

The Customer shall provide, install, and maintain its Service Lateral in accordance with the City building and electrical codes.

9.A.4 Number of Electric Services

Unless otherwise provided by these Rules and Regulations, only one Electric Service shall be provided to a building. More than one Electric Service for an industrial or commercial Customer may be provided under the following conditions.

9.A.4.(a) When the existing main service size exceeds the maximum allowable Ampere values in Table 9.1 on page 17.

9.A.4.(b) When developments with special circumstances such as long or large buildings make it impractical to provide one Electric Service and the loads are too small for a 12kV service.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

(Continued)

9.A.5 12kV Service

9.A.5.(a) If estimated electric load demand exceeds 2MVA or service size exceeds 4000 Amperes at 480 Volts for a building in new developments, the Customer shall take service at 12 kV. If electric load for a single metered location service exceeds 4.5MVA, additional 12kV service(s) may be provided.

9.A.5.(b) For all new 12 kV services the Customer shall furnish the 12 kV main breaker(s) with protective relays for coordination with Silicon Valley Power's Distribution System.

9.A.5.(c) For any existing 12 kV service that is being modified, upgraded, or is subject to a load increase due to addition of new facilities, the 12 kV switchgear shall be upgraded to meet the same requirements as noted above for new services.

9.A.6 Meter Location

All electric meters shall be located outside of Customer's building or in a utility room directly accessible from the outside by an unalarmed door. The Customer shall provide keys to Silicon Valley Power for access.

9.A.7 Equipment Furnished by Customer

9.A.7.(a) All service switches, fuses, meter sockets, meter and instrument transformer housings and similar devices, regardless of voltage, required in connection with Electric Service and meter installation on Customer Premises will be furnished, installed and maintained by the Customer and meet appropriate Silicon Valley Power approvals.

9.A.7.(b) If it is necessary for the Customer to have access to equipment previously sealed by Silicon Valley Power, the Customer must contact the Silicon Valley Power Electric Meter Division for the removal and replacement of the seal.

9.A.8 Equipment Furnished by Silicon Valley Power

Silicon Valley Power will furnish and install the necessary instruments, transformers, meter test facilities, meters and wiring hardware required to complete the metering system.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

(Continued)

9.A.9 Ownership of Equipment

All electrical equipment, installed by Silicon Valley Power upon Customer Premises for the purpose of, but not limited to, delivery and metering of Electric Services shall continue to be the property of Silicon Valley Power. No rent or other charge shall be made against Silicon Valley Power for placing or maintaining electrical equipment upon the Customer Premises.

9.A.10 Load Balancing

When single phase or three-phase service is furnished by Silicon Valley Power, the Customer must maintain a balanced load as nearly as practicable between any two legs or phases. In no case shall the unbalance between any two legs or phases for single-phase load or three-phase load be greater than thirty percent (30%).

9.A.11 Overhead Service Requirements

Refer to Silicon Valley Power drawing OH550, latest revision.

9.A.12 Underground Service Requirements

Refer to Silicon Valley Power Engineering Standard UG 1000, latest revision.

9.A.13 Underground Service Riser

The Customer shall run a Service Lateral to a quadrant on a pole designated by Silicon Valley Power. The Customer shall terminate the Service Lateral conduit 8'-0" above ground level and provide sufficient cable to reach the secondary cable and coil wire at 8'-0" level. Silicon Valley Power will run cables up the pole, install molding, and make connections to the secondary cable. The Customer will be required to sign a riser agreement prepared by Silicon Valley Power before work can be performed.

9.B CUSTOMER SERVICE VOLTAGES

9.B.1 Voltage Limits

Under normal Distribution System conditions, Silicon Valley Power's distribution circuits will be operated to the extent practicable to maintain secondary service voltage levels at the meter within service voltage ranges of + 5% of the Standard Service voltages shown in Table 9.1.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

(Continued)

9.B.2 Exceptions to Voltage Limits

Voltage may be outside the limits specified when variations arise from:

- 9.B.2.(a) Disturbances from acts of nature;
- 9.B.2.(b) Infrequent momentary fluctuations;
- 9.B.2.(c) Service interruptions;
- 9.B.2.(d) Temporary separation of parts of the Distribution System from the main system;
- 9.B.2.(e) Causes beyond the control of Silicon Valley Power, including degradation or failure of customer equipment;
- 9.B.2.(f) Material or equipment failure;
- 9.B.2.(g) Starting of motors that have higher than normal locked rotor currents of three times running current.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE*(Continued)***Table 9.1 - Service Voltages**

SERVICE TYPE	OVERHEAD	MAX SIZE	UNDERGROUND	MAX SIZE
RESIDENTIAL	120/208V 1 ϕ 3W	400 Amp	120/208V 1 ϕ 3W	400 Amp
(Single family Multiple family [Apts.])	120/240V 1 ϕ 3W	400 Amp	120/240V 1 ϕ 3W	400 Amp
INDUSTRIAL/	120/208V 1 ϕ 3W	400 Amp	120/208V 1 ϕ 3W	400 Amp
COMMERCIAL	120/240V 1 ϕ 3W	400 Amp	120/208V 3 ϕ 4W	3000 Amp
	120/208V 3 ϕ 4W	1200 Amp	480V 3 ϕ 3W	4000 Amp
	120/240V 3 ϕ 4W	1200 Amp	480/277V 3 ϕ 4W	4000 Amp
	480V 3 ϕ 3W	600 Amp	12,000V 3 ϕ 3W	*
	12,000V 3 ϕ 3W	*		
	60,000V 3 ϕ 3W	*		

*By Agreement

Note: Service voltages listed are not available at all locations.
V = Volts, 1 ϕ = Single Phase, 3 ϕ = Three Phase, W = Wire
Three phase services for residential service is not allowed.

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

(Continued)

9.B.3 Conditions Beyond Control

It must be recognized that, because of conditions beyond the control of Silicon Valley Power or Customer, or both, there will be periods when sustained voltages outside of the service voltage ranges will occur. Utilization equipment may not operate satisfactorily under these conditions, and Silicon Valley Power or Customer protective devices may operate to protect the equipment. The Customer is responsible for the protection of Customer-owned equipment.

9.B.4 Voltage Regulation

Where the operation of the Customer's equipment requires unusually stable voltage regulation or other stringent voltage control beyond that furnished by Silicon Valley Power in the normal operation of its Distribution System, the Customer, at no expense to Silicon Valley Power, is responsible for installing, owning, operating, and maintaining any special or auxiliary equipment on the load side of the utility meter.

9.B.5 Customer Responsibility

The Customer will be responsible for designing and operating the service facilities between the Utility Connection Point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment.

9.C POWER FACTOR CORRECTION

The Customer may provide at their own expense power factor corrective equipment to increase the power factor as measured by Silicon Valley Power in order to avoid penalty charges contained in the applicable rate schedule.

9.D MASTER METER SERVICE TO MULTIPLE TENANTS/UNITS

9.D.1 When multiple tenants/units are served on the same Premises through a single metered Service Connection, the Owner may resell electric energy to tenants of the Premises provided either:

9.D.1.(a) Energy is separately metered and resold at rates identical with the rates of Silicon Valley Power that would apply if that Electric Service was furnished to the individual tenants or units directly by Silicon Valley Power, regardless of the rate the Owner is charged, and/or,

9.D.1.(b) The charge to the tenants for such electricity is absorbed in the rental charges for that individual tenant or unit with no separate

9. DESCRIPTION OF STANDARD ELECTRIC SERVICE

(Continued)

identifiable charge for electricity, and the rent does not vary with electric consumption.

- 9.D.2 If electricity is resold otherwise than provided for above, Silicon Valley Power may Discontinue Electric Service to the Owner, or furnish Electric Services directly to the individual tenants or units through separate meters installed at the sole cost of the Owner.
- 9.D.3 The responsibility for payment for all Electric Services furnished to individual tenants or units on the same Premises under Silicon Valley Power Rules and Regulations, and furnished through a single metered connection, shall be the obligation of the Owner. It shall further be the responsibility of the Owner to inform individual tenants or units of the method of metering Electric Services. Silicon Valley Power will have no contractual relationship with tenants of individual units, where a Customer receives service through a single metered connection, nor a relationship created by payments made directly to Municipal Services Division on behalf of the Owner by tenants or other third parties.
- 9.D.4 As a condition of service for Master Meter Service, the Owner agrees to comply with the applicable Silicon Valley Power Rules and Regulations. As a further condition of service for Master Meter Service, the Owner agrees that Silicon Valley Power may inspect and examine the Owner's billing procedures from time to time to determine that such service is made in accordance with Silicon Valley Power Rules and Regulations, or as may be otherwise authorized by Silicon Valley Power.

10. RESPONSIBILITY FOR EQUIPMENT AND PROTECTIVE DEVICES

10.A RESPONSIBILITY FOR EQUIPMENT

10.A.1 The Customer shall, at the Customer's risk and expense, furnish, install and keep in good and safe condition, equipment and suitable housings that may be required for receiving, controlling, applying and utilizing electricity, regardless of the location of the transformers, meters, or other Silicon Valley Power Equipment. The City shall not be responsible or liable for any loss or damage caused by the improper installation of such electrical equipment, or the negligence, want of proper care or wrongful act of the Customer or of any of the Customer's tenants, agents, employees, contractors, licensees or permittee in installing, maintaining, using, operating, Tampering, or interfering with such equipment. The City shall not be responsible or liable for damage to Customer's property and/or equipment, either when the electricity is turned on originally or when turned on after a temporary shutdown, during normal operating conditions, times of local or Distribution System trouble and/or after Restoration. The City shall not be responsible or liable for damage to, or the failure of, any component of the Customer's equipment due to a defect in Customer's equipment or failure to maintain adequate protection as described in these Rules and Regulations.

10.A.2 The Customer shall exercise care to prevent Silicon Valley Power Equipment on the Customer Premises from being Tampered or interfered with, damaged, or destroyed. The Customer shall be liable for damage to Silicon Valley Power Equipment arising from negligence, want of proper care, or wrongful act of the Customer or Customer's tenants, agents, employees or contractors. If any defect is discovered by the Customer, the Customer shall promptly notify Silicon Valley Power.

10.A.3 In the event that Silicon Valley Power Equipment, located on the Customer's Premises is damaged, Silicon Valley Power will replace such equipment and the Customer may be liable for Total Cost of replacement of such Silicon Valley Power Equipment regardless of the circumstances or cause of such damage.

10.B PROTECTIVE DEVICES

10.B.1 It is the Customer's responsibility to furnish, install, inspect and keep in good and safe condition at the Customer's own risk and expense, all appropriate protective devices of any kind or character, which may be

10. RESPONSIBILITY FOR EQUIPMENT AND PROTECTIVE DEVICES

(Continued)

required to properly protect the Customer's facilities and equipment from any event caused without negligence by Silicon Valley Power or from any event caused by another Customer. Such events may include, but are not limited to, switching surges, voltage spikes, phase loss, phase reversal, or random voltage and/or frequency fluctuations. Silicon Valley Power is not responsible or liable for any loss or damage occasioned or caused by the negligence, or wrongful act of the Customer, or of any of that Person's agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices.

- 10.B.2 It is the Customer's responsibility to select and install such protective devices as may be necessary to coordinate properly with Silicon Valley Power's protective devices to avoid exposing other Customers to unnecessary Electric Service interruptions. Failure to provide appropriate protective devices or to properly coordinate said equipment with Silicon Valley Power's protective devices may result in discontinuance of Electric Service.

10.C **GENERATION EQUIPMENT**

Parallel or stand-by generation equipment shall be provided with controls and protective devices in accordance with Silicon Valley Power Rules and Regulations Section 11.

11. PARALLEL AND EMERGENCY GENERATION

11.A PARALLEL GENERATION

~~Only generating facilities that qualify as renewable electric generation facilities, as defined in these Rules and Regulations, will be connected for Parallel Generation with Silicon Valley Power's Distribution System.~~ Except as provided in this section, any Customer-owned generator used for temporary power shall not be connected to Silicon Valley Power's Distribution System.

11.A.1 GENERAL REQUIREMENTS

- 11.A.1.(a) Subject to the minimum requirements listed below, non Silicon Valley Power-owned electric generators may be connected for Parallel Generation with Silicon Valley Power's Distribution System.
- 11.A.1.(b) Customer owning or operating Parallel Generation will be responsible for compliance with all laws, regulations and requirements of public bodies, agencies, or entities having jurisdiction before a generating source may be operated.
- 11.A.1.(c) A contract with the City shall be required for all Parallel Generation and charged/priced according to the applicable standby rate schedule.
- 11.A.1.(d) The Customer will submit to Silicon Valley Power, for review and written acceptance, equipment specifications and detailed plans for the proposed installation of all interconnection facilities to be furnished by the Customer. Silicon Valley Power review and written acceptance of the Customer's proposed equipment specifications and detailed plans does not confirm or endorse the Customer's design or the equipment's safety, durability or reliability. Silicon Valley Power is not responsible for strength, details of design adequacy, or capacity of equipment, nor is Silicon Valley Power's acceptance an endorsement of any equipment.
- 11.A.1.(e) No generating source will be operated in parallel with Silicon Valley Power's Distribution System until the interconnection facilities have been inspected by Silicon Valley Power and Silicon Valley Power has provided written approval to the Customer. Where rated output is greater than 100 kW, the Customer will pay the estimated cost of inspection.

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

11.A.1.(f) Only Silicon Valley Power is authorized to connect or Discontinue the Service Connection.

11.A.1.(g) As per Silicon Valley Power Rules and Regulations Section 7, the City shall have immediate and unhindered access, without notice, to and from Silicon Valley Power's Equipment on Customer's Premises for any purpose reasonably connected with the furnishing of Electric Services, including but not limited to, inspection, reading, testing, maintenance, removal, and replacement of Silicon Valley Power Equipment.

11.A.1.(h) When access is not immediate and unhindered, Silicon Valley Power may Discontinue the interconnect facilities, without liability or notice, from Silicon Valley Power's Distribution System, and when the Customer is also an electric Customer, Silicon Valley Power may also Discontinue Electric Service.

~~11.A.1.(i) Only generating facilities that qualify as renewable electric generation facilities, as defined in these Rules and Regulations, will be connected for Parallel Generation. With the exception of installations of solar photovoltaic systems, which are considered inherently renewable, Customers will be required to provide proof of eligible certification that the facility is a qualifying renewable electrical generation facility from the California Energy Commission prior to interconnection and upon request from Silicon Valley Power. All precertification and certification must be completed through the California Energy Commission's online application process found on the Commission's website. Customer will provide an annual attestation demonstrating continued compliance with the California Energy Commission's renewable certification status or documentation from a CEC approved reporting entity.~~

11.A.2 INTERCONNECTION FACILITIES

11.A.2.(a) The Customer will be fully responsible to furnish, install, operate and maintain in good order and repair, without cost to Silicon Valley Power, equipment, and any control, protective and safety devices as Silicon Valley Power may require for

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

Parallel Generation with Silicon Valley Power's Distribution System.

- 11.A.2.(b) The Customer may be required to reimburse Silicon Valley Power for installation of any equipment required as a result of the installation of a non Silicon Valley Power-owned generator in parallel with Silicon Valley Power's Distribution System. The Customer will be required to secure and/or provide rights of way, easements or actual dedications of real property for location of Silicon Valley Power interconnecting facilities if deemed by Silicon Valley Power to be necessary.

11.A.3 ADDITIONS TO SILICON VALLEY POWER FACILITIES

- 11.A.3.(a) All additions, reinforcements, increase of capacity and extensions of Silicon Valley Power Equipment needed to make connection to non Silicon Valley Power-owned generators will be constructed at Customer's expense and must be approved by Silicon Valley Power. Any continuing ownership costs are the responsibility of Customer.
- 11.A.3.(b) The Customer will advance Silicon Valley Power's estimated costs of performing a preliminary or detailed engineering study as may be reasonably required to identify any Customer-related Silicon Valley Power Distribution System additions and reinforcements.

11.A.4 METERING

- 11.A.4.(a) Except as otherwise provided for by a Customer contract with the City, Silicon Valley Power will supply, own, and maintain all necessary meters and associated equipment utilized for billing and monitoring the Customer's generation load, including telemetering equipment. The Customer will supply, at no expense to Silicon Valley Power, panels, meter sockets or connection equipment on which meters will be mounted as required by Silicon Valley Power, and a Silicon Valley Power approved location for equipment. The Customer may be required to pay for any equipment that is in addition to the required equipment for a retail power Customer.

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

11.A.4.(b) Silicon Valley Power may install special meters to prevent reverse registration so that power deliveries to and from the Customer's equipment can be separately recorded.

11.A.5 OPERATION

11.A.5.(a) The Customer will notify Silicon Valley Power prior to energizing and start-up testing of the parallel or emergency generator. Silicon Valley Power has the right to have a representative present at any test.

11.A.5.(b) The Customer's generation while operating in parallel with Silicon Valley Power's Distribution System is at all times subject to the Rules and Regulations of Silicon Valley Power.

11.A.5.(c) The Customer will maintain operating communications with Silicon Valley Power and will coordinate in advance all Distribution System paralleling, separation, shut-downs and equipment clearances.

11.A.5.(d) Silicon Valley Power can Discontinue the Parallel Generation Customer in order to construct, install, maintain, repair, replace, or inspect Silicon Valley Power facilities, and for emergencies, forced outages, and for any reason due to operating conditions on the Distribution System at the sole discretion of Silicon Valley Power.

11.A.5.(e) Silicon Valley Power is not liable for lost generation.

11.A.5.(f) The Customer shall at all times keep and maintain a detailed generator operations log. Such log shall include, but not be limited to, information on unit availability, maintenance outages, circuit breaker trip operations and unusual events. Silicon Valley Power can review the Customer's operations log upon agreed intervals between the Customer and Silicon Valley Power.

11.A.5.(g) The Customer shall furnish reactive power as may be reasonably required by Silicon Valley Power.

11.A.6 INTERFERENCE WITH QUALITY OF ELECTRIC SERVICE AND COMMUNICATIONS

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

11.A.6.(a) Silicon Valley Power can refuse to connect or remain connected to any new or existing equipment that may interfere with the quality of Silicon Valley Power operation or Electric Service to its Customers.

11.A.6.(b) The Customer will not operate equipment that superimposes upon Silicon Valley Power's Distribution System, a voltage or current, which causes interference with Silicon Valley Power's operations, Electric Service to Silicon Valley Power's Customers or interference to communication facilities. If the Customer causes Electric Service interference to others, the Customer must take corrective action at the Customer's expense after either being Discontinued or given notice, and reasonable time to do so by Silicon Valley Power, if interference can be tolerated by the affected Customer. If the Customer does not take corrective action, or continues to operate the equipment causing the interference without restriction or limit, Silicon Valley Power may, at the Customer's expense and without liability, disconnect the Customer's equipment from Silicon Valley Power's Distribution System until a suitable permanent solution provided by the Customer and acceptable to Silicon Valley Power is operational.

11.A.7 CUSTOMER RESPONSIBILITY FOR EQUIPMENT

11.A.7.(a) The Customer shall be solely responsible for the transmission and delivery of all Electric Services over or through the Customer's wires and equipment, and Silicon Valley Power shall not be responsible for any loss or damage. The Customer shall also be responsible for the installation and maintenance of all equipment not installed by Silicon Valley Power, including conduits, manholes and vaults.

11.A.7.(b) The Customer shall exercise care to prevent Silicon Valley Power Equipment, on the Customer Premises, from being damaged, destroyed, Tampered or interfered with. If any defect is discovered by the Customer, the Customer shall promptly notify Silicon Valley Power.

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

11.B EMERGENCY OR STANDBY GENERATION

11.B.1 GENERAL

This rule applies to Customer-owned or leased, permanent or portable, conventional or unconventional (solar, fuel cell and other) generator installations that are capable of being connected in emergency situations to the Customer's electric system which is normally furnished from Silicon Valley Power's Distribution System. This rule does not apply to such generator installations that are specifically permitted by a written agreement or service contract to operate in parallel with Silicon Valley Power's Distribution System.

11.B.2 NOTIFICATION

The Customer shall notify Silicon Valley Power of the location, or intended location, of the generator installation on the Customer Premises. Furthermore, the Customer shall furnish generator information to Silicon Valley Power as required in Silicon Valley Power's Portable or Permanent Electric Generator Report Form.

11.B.3 REQUIREMENT FOR ALL EMERGENCY GENERATOR INSTALLATIONS

Any non-Silicon Valley Power-owned emergency or standby generation equipment that can be operated to supply power to facilities that are normally supplied from Silicon Valley Power's Distribution System, shall be controlled with suitable protective and isolation devices by the Customer in a fail-safe manner to prevent parallel operation with Silicon Valley Power's Distribution System.

11.B.4 REQUIREMENTS FOR PORTABLE EMERGENCY ELECTRIC GENERATORS

11.B.4.(a) Any portable electric generator intended to be temporarily connected to the Customer's electric system shall be connected only after opening the Customer's main switch so that the Customer's electric system is isolated from Silicon Valley Power's Distribution System.

11.B.4.(b) The portable electric generator must be disconnected to isolate it from the Customer's electric system before the

11. PARALLEL AND EMERGENCY GENERATION

(Continued)

Customer's main switch can be closed to re-establish normal service from Silicon Valley Power's Distribution System.

11.B.5 REQUIREMENTS FOR PERMANENT EMERGENCY GENERATOR INSTALLATIONS

11.B.5.(a) Prior to installation, the Customer shall submit complete documentation regarding the generator installation to the City of Santa Clara Building Inspection Department for approval. Information should include, but is not limited to, description of the generator, controls, interlocks, single line diagrams, description of transfer operation and Silicon Valley Power required protective devices.

11.B.5.(b) The Customer shall not operate the emergency generator installation prior to the installation approval granted by the City.

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