

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.  
FIRST REVISED RULE NO. 1  
CANCELLING ORIGINAL RULE NO. 1

GENERAL STATEMENT OF PURPOSE AND DEFINITIONS OF TERMS USED

X (NUMEROUS CHANGES)

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GENERAL STATEMENT OF PURPOSE:

The aim of Continental Divide Electric Cooperative, Inc., (herein referred to as "the Cooperative") is to make safe and reliable electric energy available to its Members, Consumers and patrons (collectively "Customers") at the lowest cost, consistent with sound economy and good management and within the jurisdiction of applicable local, state, and federal laws.

These Rules govern the supplying and receiving of electric service under the terms and conditions set forth in the Cooperative's Bylaws, Rate Schedules, policies, terms and other provisions, and within the rights and responsibilities of the Customers.

These Rules, as approved by the New Mexico Public Regulation Commission and subject to revision from time to time by the Cooperative's duly elected Board of Trustees, supersede any and all previously adopted Rules governing the supply and sale of electric service by the Cooperative.

These Rules are on file at the offices of the Cooperative, in addition to the Cooperative's Rate Schedules, bylaws and policies. An accompanying Residential Member Handbook further explains the terms and provisions set forth in these Rules. All aforementioned materials are available for examination at the request of a Customer.

DEFINITIONS OF TERMS USED:

The following terms are used throughout the Cooperative's Rules. The definitions are as they relate to the Cooperative and its services.

ADVANCED METERING INFRASTRUCTURE (AMI): An integrated system of smart meters, communication networks and data management systems that enables two-way communication between the Cooperative and the Customer.

AMR: The technology of automatically collecting consumption, diagnostic and status data from Cooperative-owned meters.

ADVICE NOTICE NO. 69



Continental Divide Electric Cooperative, Inc.  
Robert E. Castillo, Chief Executive Officer

**EFFECTIVE**

**November 1, 2024**

**Replaced by NMPRC**

**By: Operation of Law**

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APPLICATION FOR SERVICE or SERVICE AGREEMENT: A written agreement between the Customer and Cooperative, setting forth the applicable rate, terms, conditions and other provisions under which the Cooperative will furnish, and the Consumer will receive and pay for service utilized.

ARTICLES OF INCORPORATION: The primary rules governing the management of the Cooperative that are filed with the State of New Mexico.

BACK-BILLING: Billing made to collect an expense incurred in a previous billing period.

BILLING CYCLE (BILLING PERIOD): The length of time between the last billing statement closing date and the next. The period between successive meter reading dates is normally an interval of thirty (30) days.

BOARD OF TRUSTEES: The body of policy-making Cooperative Members who are elected by their fellow Members to govern the Cooperative.

BYLAWS: Rules approved by the membership that govern, regulate and hold the Cooperative accountable.

CAPITAL CREDITS: Margins credited to Cooperative Members, based on their purchases of electricity. Credits are used by the Cooperative as working capital for a period of time, then paid back to individual Members.

CHRONICALLY DELINQUENT: The status of a residential customer who during the prior twelve (12) months has been disconnected by the utility for nonpayment, or who on three (3) or more occasions during the prior twelve (12) months has not paid a bill by the date a subsequent bill is rendered.

COMMERCIAL SERVICE RATE: The Cooperative's rate available to all Consumers requiring less than 50kVA of transformer capacity at a single service location within our service area.

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COMMISSION RULE 410: The state rule that applies to rural electric cooperatives that are subject to the jurisdiction of the New Mexico Public Regulation Commission. The Cooperative's rules make mention to the following references:

- 17.5.410.15(B) NMAC: Estimated Bills
- 17.5.410.12 NMAC: Content of Bills
- 17.5.410.13(E) NMAC: Payment Standards
- 17.5.410.16 NMAC: Residential Security Deposits or Guarantees
- 17.5.410.27 NMAC: Line Extensions
- 17.5.410.31 NMAC: Discontinuance of Service
- 17.5.410.33 NMAC: Requirements Prior to the Discontinuance of Service
- 17.5.410.34 NMAC: Emergency Discontinuance of Service
- 17.5.410.42 NMAC: Customer's Rights and Responsibilities

COMMISSION RULE 540: The state rule that outlines procedures for review of rates proposed by the Cooperative.

COMMISSION RULE 560: The state rule intended to promote safe and adequate service to the public, to provide standards for uniform and reasonable practices by utilities, and to establish a basis for determining the reasonableness of such demands as may be made by the public upon the utilities. The Cooperative's rules make mention to the following reference:

- 17.9.560.15 NMAC: Standards of Quality of Services

COOPERATIVE (CO-OP): A not-for-profit utility owned by the Members who use its services. Wherever the word "Cooperative" is used, it refers to Continental Divide Electric Cooperative, Inc.

CUSTOMER/CONSUMER: Any individual, patron, partnership, association, firm, public or private corporation, governmental agency, or body politic, receiving electric service from the Cooperative.

CUSTOMER'S PREMISES: All the land, real estate, buildings, equipment and appurtenances of the Customer, being served or to be served by the Cooperative.

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CUSTOMER'S SIDE OF INSTALLATION (CUSTOMER'S SIDE): All wires, cutouts, switches, appliances, and apparatuses of every kind used in connection with or forming a part of any installation for utilizing electricity for any purpose, ordinarily located on the Customer's side of Point of Delivery, whether such installation is owned outright by the Customer or used by the Customer under lease or otherwise.

DEBT COST ADJUSTMENT: Billing under Rate Schedules may be increased or decreased by an amount in the cost of debt capital incurred pursuant to the securities, the issuance of which has been approved by the Commission.

DEMAND ENERGY SERVICE RATE: The cost for electricity, based on the maximum kilowatts used during times of peak demand. This pricing structure mostly applies to a large commercial or industrial Customer.

EASEMENT (RIGHT-OF-WAY): An agreement allowing the Cooperative to use private property for a specific purpose, such as building a distribution or transmission line.

ELECTRICIAN CONTRACTOR: Refers to someone who is currently licensed as an electrical contractor by the New Mexico Construction Industry Division (NMCID).

ELECTRIC SERVICE: The maintenance by the Cooperative of established voltage and frequency at the Metering Point shall constitute the supplying of electric service, irrespective of whether any electric energy is used by the Customer.

EXCESS CAPACITY: Electricity used in excess of the agreed upon usage threshold in any billing cycle.

FACILITIES: Equipment used to transmit and distribute electricity to Customers. Can include poles, wires, substations and transformers.

FORCE MAJEURE CONDITIONS: A natural and unavoidable catastrophe that interrupts the expected course of events.

FORM: Any document in use by the Cooperative as filed and approved by the Commission.

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FUEL AND PURCHASED POWER COST ADJUSTMENT (PPCA): If the cost of energy to the Cooperative changes from the base cost embedded in the Cooperative's rate, the Cooperative shall increase or decrease the PPCA that appears on each month's billing, in accordance with Commission rules.

GENERAL SERVICE RATE: The Cooperative's rate available to all Consumers requiring less than 50kVA of transformer capacity at a single service location.

GUYED: The securing of utility pole by means of attaching wires to the pole and anchoring them in the ground.

IEEE STANDARD 141: A recommended practice for electric power distribution for industrial plants that requires a thorough analysis of basic electrical systems considerations.

IEEE STANDARD 519: Goals for the design of electrical systems that include both linear and nonlinear loads, as established by the Institute of Electrical and Electronics Engineers Standards Association.

ILLEGAL DIVERSION OF ELECTRICITY: The unlawful and dangerous practice of interfering with the operation of a meter or jumping power to another facility to lower or avoid paying electric bills. Creating a safety hazard or disrupting communications and utility services by theft or intentional damage violates state law [NM Stat § 30-53-1 (2021)]. The Cooperative will pursue prosecution against offenders to the extent of the law.

INDUSTRIAL SERVICE RATE (LARGE INDUSTRIAL TRANSMISSION SERVICE): This rate is open to all Customers who enter into a minimum three (3) year contract and take delivery from the Cooperative's power supplier's 115kV transmission system without utility investment in distribution system facilities. Service under this tariff will be per contract between the Cooperative and the Customer.

INTERNATIONAL CODE COUNCIL (ICC) and ICC CERTIFIED INSPECTOR (ICC Inspector): The International Code Council is the leading global source of model codes and standards and building safety solutions that include product evaluation, accreditation, technology, training, and certification. The Code Council's codes, standards, and solutions are used to ensure safe, affordable, and sustainable communities and buildings worldwide. The NMCID maintains a list of ICC Inspectors on its website.

KW DEMAND: The highest peak demand recorded in a billing month.

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**kWh (KILOWATT HOUR):** The accumulated quantity of electric energy delivered to a Customer, as measured by a kilowatt-hour meter. It is the basic measure of electricity energy use. A unit of energy is equal to 1,000-watt hours. A 100-watt lightbulb burning for 10 hours uses 1 kWh.

**LARGE POWER SERVICE RATE:** The Cooperative's rate available to all Customers requiring 50kVA and above of transformer capacity for all types of usage.

**LETTER OF COMPLIANCE:** A form provided to the Customer by the Cooperative. It is completed by the home/building owner and contracted electricians who perform, inspect, and approve electrical wiring installations. The letter certifies that the wiring complies with current National Electric Safety Code, New Mexico building codes and Cooperative standards and is ready for service connection.

**LIGHTING SERVICE RATES:** The Cooperative's rates available to all Consumers for security and street lighting, except for the lighting of public thoroughfares. The Cooperative will provide an estimate, if a new pole and transformer are required.

**LINE EXTENSION:** Any extension, or enlargement of the Cooperative's facilities required to furnish service to the Customer's initial or contemplated future requirements that include the following:

- The extension of any distribution or transmission facilities of the Cooperative,
- Any increase required to provide additional capacity in the Cooperative's existing facilities,
- The changing of any line to provide three-phase service or additional capacity,
- The enlargement of any of the Cooperative's substations, or
- Other facilities of the Cooperative required to furnish service to the Customer.

**LOAD:** The amount of electric power drawn at a specific time from an electric system, or the total power drawn from the system.

**LOAD CURTAILMENT (INVOLUNTARY AND VOLUNTARY):** Curtailment refers to the reduction of power production or power consumption when there is too much electricity in the grid (generation curtailment) or when there is not enough power in the grid (load curtailment). Per 17.9.560.15 NMAC, the Cooperative is required to notify its Customers of load curtailment. Guidelines for electric load curtailment are on file with the Cooperative.

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**MEMBER:** Any individual, partnership, or corporation who is a "Member" as defined in the Cooperative Bylaws. The Member is the actual person(s) listed on an account who receive(s) Cooperative service.

**METER:** A device used to measure and record the amount of electricity used by a Customer. Newer models communicate readings and other data to the Cooperative.

**METERING POINT/POINT OF DELIVERY:** Commonly referred to as the "service drop," it is the point of which the Cooperative's service conductors are first connected to the conductors or other facilities owned by the Customer, unless otherwise specified in the Service Agreement. Said Point of Delivery for secondary service is usually the point where the Cooperative's service-drop conductors are connected to the Customer's service-entrance conductors.

**MINIMUM CHARGE:** The minimum bill that the Customer is committed and obligated to pay for a given period that service is furnished or available, irrespective of whether service is used by the Customer. Such minimum charge shall be as specified in the applicable Rate Schedule, or as may be modified by means of a Special Contract where an unusual investment is required.

**NATIONAL ELECTRICAL CODE (NEC):** The U.S. standard for safe installation of internal electrical wiring and equipment.

**NATIONAL ELECTRICAL SAFETY CODE (NESC):** The ground rules for worker safety during the installation, operation, and maintenance of electric and telecommunication lines and associated equipment.

**NATIONAL FIRE PROTECTION ASSOCIATION (NFPA):** An association that provides instant access to more than 1,500 codes and standards on fire, electrical, and life safety guidelines and requirements.

**NET-METERING:** A measuring of the retail credit received by owners of small renewable energy systems that generate a portion of the electricity used by the Customer.

**NEW MEXICO CONSTRUCTION INDUSTRY DIVISION (NMCID):** The New Mexico agency with statutory authority to license, permit, and inspect non-utility new, modified, and repaired Customer electric service installations.

**NEW MEXICO PUBLIC REGULATION COMMISSION ("COMMISSION"):** The state governing body that regulates utilities operating in New Mexico, including the Cooperative.

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NON-SEASONAL BASIS: The Cooperative's electric Rate Schedule does not take into account demand based on weather and other seasonal factors.

POINT OF ATTACHMENT: The first point of electricity supply, where an overhead service cable connects to the Customer's property.

POINT OF DELIVERY: The point on the Customer's premises where the Cooperative terminates its electrical service conductors, and the customer's wires are connected to the Cooperative's conductors.

PRIMARY VOLTAGE: The Cooperative's transmission or distribution voltage used to transmit power to the immediate area adjacent to the Customer's premises. The primary voltage may have a nominal rating of either 7,200 volts, 12,470 volts, 14,400 volts, or 24,900 volts.

PURCHASED POWER: Wholesale power bought through a long-term contract.

RATE SCHEDULE: A document filed by the Cooperative and approved by the Commission that sets forth the availability of the kind of electric service to be furnished by the Cooperative, including the type and class of service, the rates to be charged, the minimum charge applicable, the terms of payment, plus other provisions, and conditions pertinent to the type and class of service involved.

RENEWAL AND TERMINATION OF SERVICE AGREEMENTS: Unless otherwise stated in the Service Agreement, the agreement shall automatically continue in full force and effect until either the Customer or Cooperative notifies the other of an intention to discontinue service.

RIGHT-OF-WAY (RIGHTS-OF-WAY, "ROW"): A strip of land owned by another party on which the Cooperative places poles, wires, substations, and other facilities.

SERVICE CONDUCTOR ("SERVICE DROP"): The conductor (commonly referred to as the "service drop") that usually extends from the last pole of termination of the Cooperative's primary or secondary distribution system and extending to the point where the service-drop conductors are first connected to the Customer's facilities (commonly referred to as the "service entrance").

SERVICE-ENTRANCE BOXES (BREAKER/FUSE BOX): The point where the wires connected to the load side of the meter enter the Customer's residence or business.

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SERVICE LINE AGREEMENT (SLA): An agreement between the Cooperative and the landowner solely to connect electricity from a point on the landowner's property to the Cooperative's main utility line.

SETTLEMENT AGREEMENT: An agreement between a utility and Residential Customer establishing terms and conditions for resolving a dispute.

SINGLE-PHASE SERVICE: An electric circuit that consists of one alternating current.

SPECIAL AGREEMENT: A written agreement or contract that includes, in addition to the terms and conditions included in the Service Agreement, special provisions as may be necessary, such as any guarantees required to justify unusual investment required to be made by the Cooperative to provide service, the size of characteristic, etc., of Customer's load, etc.

STAND-BY SERVICE: The furnishing of service by the Cooperative to a Customer who has available or is contemplating an alternative electric energy source. In all cases where the Cooperative does not furnish 100% of the Customer's electric energy requirements, such service is defined as Stand-by Service.

TEMPORARY SERVICE: Where the Cooperative installs facilities to provide service that is determined by the Cooperative to be of nonpermanent character and where in the foreseeable future, such facilities will no longer be used to provide electric service. It includes electric service furnished for construction purposes, repairs, upgrades, temporary housing, carnivals, street fairs, celebrations, well drilling, and other similar loads of short duration and nonpermanent in character.

THREE-PHASE SERVICE: Consists of three separate currents delivered at one-third cycle intervals by means of three wires; typically to power large industrial motors that operate at 230V or higher.

TRUE UP: The reconciling of all the cumulative energy used during the previous 12-month period.

UP AND DOWN COST: The total cost to the Cooperative of all materials, supplies, equipment, labor, transportation, insurance, overhead, and other costs required to install and remove all facilities and appurtenances used to furnish service to the Customer, less the salvage value of all materials and equipment returned to the Cooperative's inventory of materials and equipment.

UTILITY'S INSTALLATION: All facilities, equipment and appurtenances owned, operated, and maintained by the Cooperative. Commonly referred to as "our side."

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