

CONTINENTAL DIVIDE ELECTRIC COOPERATIVE, INC.  
FIRST REVISED RULE NO. 2  
CANCELLING ORIGINAL RULE NO. 2

APPLICATION FOR SERVICE, RATE CLASSIFICATION and MEMBERSHIP

X (NUMEROUS CHANGES)

Page 1 of 3

APPLICATION FOR SERVICE (SERVICE AGREEMENT):

- A. Application for electric service shall be made in writing on a form provided by the Cooperative. Application shall contain the name and address of the Customer and of the person(s) responsible for payment of billing for the service, the address or description of the Point of Delivery, and the character of the service requested. And the Customer or Customer's authorized representative shall sign the application.
- B. Before electric service is established on private land, the property owner must execute any necessary rights-of-way easements (ROWS) granting the Cooperative a right to construct, operate and maintain its facilities on said easement on a form provided by the Cooperative. New Customers on private land will furnish such rights of way as are required, without charge to the Cooperative. Any right-of-way easement granted to the Cooperative shall be in perpetuity or until such time as the Cooperative abandons use of the easement for its facilities. If the applicant for electric service is not the owner of the property to be supplied with electric service, it will be the applicant's responsibility to assist in obtaining the necessary rights of way, not only for the property to be served with electricity, but also for any other properties necessary to cross with electric lines by the Cooperative to furnish said electric service.

All lines will be constructed on legal rights of way, except those within incorporated cities, towns, or communities where legal rights of way cannot be obtained. Such lines may be constructed on existing public roads, streets, alleys, or easements.

Before electric service is established on Tribal lands, the requirements of either a Service Line Agreement (SLA) or Tribal Rights-of-Way must be completed. These requirements vary based on Tribal regulations and the Tribal land status. Customers may be asked to sign Tribal Service Line Agreements or may be referred to the Tribal Realty Office to complete required documents.

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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- C. The Customer shall provide all necessary equipment and facilities required by the applicable Rate Schedule, and all privileges, easements, licenses, or other rights to enable the Cooperative to make delivery of the power and energy hereunder. The Cooperative shall provide all meters and any other equipment necessary to measure and deliver electric service. All meters, wires or other devices furnished by the Cooperative shall remain the property of the Cooperative.

The Customer may not assign service without the Cooperative's prior written consent, and shall not be construed to create any right, remedy, or action against or in favor of a person other than the Cooperative and the Customer.

RATE CLASSIFICATION:

- A. The General Service Rate classification shall apply to all uses usually considered in the public utility industry as domestic or residential. The Commercial Service Rate, Industrial Service Rate, Large Power Service Rate and Lighting Service Rate classifications shall apply to services other than residential or domestic services.
- B. Effective Rate Schedules for each class of service will be kept at all times at the Cooperative's office where copies will be available to Customers. Effective Rate Schedules are approved by the New Mexico Public Regulation Commission.
- C. All changes in rates shall be applicable to all Customers commencing with the first full billing period following the effective date.
- D. All applicants for service shall be subject to and agree to abide by the applicable Rate Schedule covering the proposed type and size of load. The Customer is responsible for advising the Cooperative of any changes in the load, including the use of the load, that may affect the applied Rate Schedule or other charges.
- E. If the cost of purchased power increases above or decreases below the base purchase power cost, the Cooperative will pass through to the Consumer such increases or decreases as authorized by the Commission.
- F. Billings may be increased or decreased for the cost of Debt Capital Incurred (DCA), in accordance with New Mexico Public Regulation Commission Rule No. 540.

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- G. Billing may be increased by an amount equal to the sum of the taxes, fees, or charges (exclusive of ad valorem, state, and federal income taxes) payable by the Cooperative and levied or assessed by a governmental authority on the public utility service rendered, or on the right or privilege of rendering service, or on any object or event incidental to the rendition of service.

MEMBERSHIP:

- A. Any person, firm, association, corporation, or body politic or subdivision thereof may become a Member in the Cooperative at no cost, per Cooperative Bylaws, by:
- (a) Filing an Application of Service and receiving electric service from the Cooperative; and
  - (b) Agreeing to comply with and be bound by the Bylaws of the Cooperative and all applicable rules and regulations adopted by its Board of Trustees.
- B. No Member may hold more than one (1) membership in the Cooperative, regardless of the number of individual service accounts in their name. No membership in the Cooperative shall be transferable, except as provided in the Bylaws.
- C. In the furnishing of electric energy, the Cooperative's operations shall always be operated on a not-for-profit basis for the mutual benefit of its Members. To ensure this, the Cooperative is obligated to account for all amounts received and receivable from the furnishing of electric energy in excess of operating costs and expenses properly charged against the furnishing of electric energy.
- D. The Cooperative's governing Board of Trustees periodically returns these margins, called Capital Credits, to the Members. Trustees determine the amount based on the financial condition of the Cooperative. Allocations are based on the amount of revenue collected during the year(s) that working capital was collected.

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