

## Chapter 90. ELECTRIC

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**[HISTORY: Adopted by the Borough Council of the Borough of Pemberton as indicated in article histories. Amendments noted where applicable.]**

### Article I. Electric Rates

**[Adopted 6-20-1966 (Ch. 34 of the 1975 Code)]**

#### § 90-1. Service classifications.

The following service classifications are hereby established and defined:

- A. Residential service: service for individual residences or individual [apartments](#) in multiple-family dwellings.
- B. General service, small: all uses other than residential and establishing billing demands less than 10 kilowatts.
- C. General service, large: all other uses not heretofore defined.

#### § 90-2. Customer maintenance charge.

**[Added 12-15-1986 by Ord. No. 9-1986; amended 4-19-2004 by Ord. No. 2004-4; 3-22-2005 by Ord. No. 2005-3; 4-19-2010 by Ord. No. 2010-5; 5-16-2011 by Ord. No. 2011-5]** The following maintenance charge is applicable to all electrical users:

- A. Maintenance charge. There shall be a maintenance charge to all users for which each user shall pay a base charge of \$7 per month.

#### § 90-3. Rate schedules.

**[Last amended 5-16-2011 by Ord. No. 2011-5]** The following rates per month are hereby established:

- A. Residential.

**Rate Schedule RS  
Service Classification 1 Residential**

**Season One: April 1 through September 30**

<b>Amount per Month (kilowatt-hours)</b>	<b>Rate (Per kilowatt-hour)</b>
First 20	\$6.75
Excess over 20	\$0.20
Excess over 500	\$0.21

**Rate Schedule RS****Service Classification 1 Residential****Season Two: October 1 through March 30**

<b>Amount per Month (kilowatt-hours)</b>	<b>Rate (Per kilowatt-hour)</b>
First 20	\$6.75
Excess over 20	\$0.21
Excess over 300	\$0.18

B. General service, small.

**Rate Schedule GLP  
General Lighting and Power**

<b>Amount per Month (kilowatt-hours)</b>	<b>Rate (Per kilowatt-hour)</b>
First 20	\$10.75
Excess over 20	\$0.26
Excess over 200	\$0.24
Excess over 750	\$0.20

C. General service, large.

**Rate Schedule GLP  
Measured Demand**

<b>Amount per Month (kilowatt-hours)</b>	<b>Rate (Per kilowatt-hour)</b>
First 20	\$10.75

**Rate Schedule GLP  
Measured Demand**

<b>Amount per Month (kilowatt-hours)</b>	<b>Rate (Per kilowatt-hour)</b>
Excess over 20	\$0.22
Excess over 1,000	\$0.20
Excess over 2,500	\$0.18

**Kilowatt Demand Charge**

<b>Amount per Monthly Maximum Demand (kilowatts)</b>	<b>Rate (Per kilowatt-hour)</b>
First 2-9	\$12.05
Next 99	\$9.70
All over 99	\$8.50

D. Monthly charge for [area lighting](#).

<b>Minimum (watts)</b>	<b>Charge</b>
100	\$20
150	\$22
175	\$24
200	\$26
250	\$28
300	\$30
350	\$32
400	\$34
Additional 25	\$2

## § 90-4. Uncontrolled water heating.

Uncontrolled water heating service will be rendered to a customer using an automatic [electric water](#)

[heater](#) as the only source of running hot water requirements for a premises. In no event shall this service be available for the supply of hot water for heating buildings or for any use where hot water is circulated in a closed system of pipe and tanks or any combination thereof. The monthly charge for this service is \$0.015 per kilowatt hour, with a monthly minimum charge of \$2.

## § 90-5. Energy adjustment cost.

### **[Added 10-15-1979 by Ord. No. 15-1979]**

- A. Purpose. The purpose of this section is to allow the Borough of Pemberton to pass on to its electric customers their proportionate share of the energy adjustment cost which the Federal Power Commission has allowed the New Jersey Central Power and Light Company to charge the Borough of Pemberton.
- B. Energy adjustment costs. All energy adjustment costs levied upon the Borough of Pemberton shall be charged to all electric customers of the Borough of Pemberton, regardless of classification, on a per-kilowatt-hour basis, including a nominal administrative cost of 15%.
- C. Billing. All billing for the energy adjustment cost will be in addition to the regular billing, and it will be charged to all electric users at the time of regular periodic billing.

## § 90-6. Rules and regulations.

### **[Added 10-15-1979 by Ord. No. 15-1979]**

- A. Definitions. As used in this article, the following terms shall have the meanings indicated:

#### **APPROVED**

With reference to an electrical installation, meeting the requirements of and being acceptable to an authorized inspector of the National Board of Fire Underwriters. With reference to equipment or material, having the approval of a recognized laboratory, such as the Underwriters' Laboratory, after test, or of a recognized acceptable authority, after inspection, trial or general use.

#### **BOROUGH**

The Borough of Pemberton.

#### **CUSTOMER**

A present or prospective user of the Department's electric service.

#### **DEPARTMENT**

The Electric Department of the Borough of Pemberton.

#### **DEPARTMENT PROPERTY**

Transformers, network protectors, meters, instrument transformers and associated wiring and equipment, furnished by the Department and placed in or on the customer's premises and which remain the property of the Department and will be removed therefrom when no longer required.

#### **METER READER**

The employee of the Department authorized to enter the customer's premises to read meters.

#### **METER TESTER**

The employee of the Department authorized to enter the customer's premises for the testing and/or servicing of meters.

#### **PORTABLE APPLIANCES**

Are considered to be the plug-in type, of single phase and are not to consume more than 1,750 watts nor

have operating characteristics causing an excess starting or initial load on the line.

**REPRESENTATIVE**

An employee of the Department authorized to handle transactions with customers.

**SERVICE**

The supplying of electric energy by the Borough to the customer.

**SERVICE CREW**

The designation of the linemen of the Department authorized to enter the customer's premises for testing voltage, meters or for such other duties as are authorized and proper.

**SERVICE DROP**

The Department's wires connecting the customer's wiring to the Department's pole and lines.

**SERVICE ENTRANCE**

The customer's wires, conduit and fittings between the service drop and the main entrance switch (usually inside the structure).

**UNDERGROUND AREA**

The area being served by electric underground conduits and conductors.

B. Responsibility for payment. All contracts for electrical service shall be signed by the occupant in possession and by the owner of the property where the electric energy is supplied. The owner of the property where said energy is supplied shall be responsible to the Borough for any unpaid bills for electric energy; and any and all charges for electric energy shall be and remain, until paid, municipal liens against the property and premises where electric energy is furnished and, if the same shall remain unpaid, shall be collected in the manner hereinafter set forth.

C. Deposits for meters.

(1) Residential.

(a) Not electrically heated: \$40.

(b) Electrically heated: \$80.

(2) Apartments.

(a) Less than five units: \$40.

(b) More than five units: \$80/apartment.

D. Fees for new service and reconnections.

(1) New service.

(a) Installation fee for new service shall be \$75.

(b) There shall be no replacement charge for existing service.

(2) Reconnections. There is hereby established a fee of \$75 in the event a customer desires reconnection of service due to nonpayment of service charges, provided that the customer desires reconnection services between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday. Any customer desiring reconnection of service after 4:00 p.m. Monday through Friday or on Saturday or Sunday due to nonpayment of service charges shall pay a fee of \$100; any customer desiring reconnection of service on national and state holidays due to nonpayment

of service charges shall pay a fee of \$150.

**[Amended 12-15-2003 by Ord. No. 2003-11]**

E. Date due; late payment. All electric bills shall be due and payable by the 15th day of the month, and in the event the same are not paid, they shall be considered delinquent, and from and after said 15th day of the month, interest at the rate of 7% shall be charged. On the 16th day, a letter will be sent to the consumer. Ten days later, if no payment in full is forthcoming, service will be discontinued.

**[Amended 12-15-2003 by Ord. No. 2003-11]**

F. Discontinuance of service; reconnection. In the event that a discontinuance of service has been effected by reason of nonpayment as hereinabove set forth, the reconnection of the electric service may only be made upon payment of the total outstanding bill, all accrued interest due thereon and a deposit of \$100 to be used in connection with future consumption of electric energy. During said period of disconnection, the user shall be required to pay the minimum rates.

G. Fine for unmetered electric users. Any unmetered electric user will be fined up to \$500.

H. Access to electric meters required. Employees of the Electric Department of the Borough of Pemberton shall be allowed access to individual electric meters at all times during the regular workweek between the hours of 9:00 a.m. and 5:00 p.m. Said access shall be given after the employee properly identifies himself. Anyone who refuses said employee access or who interferes with said employee shall be subject to a fine not to exceed \$500.

I. Determination of demand.

(1) By measurement. Where the total connected load exceeds 10 kilowatts or the consumption for two consecutive months exceeds 1,000 kilowatt-hours per month, the company will provide a demand meter which, except in unusual cases, will measure the highest fifteen-minute integrated kilowatt demand during each month. Where the demand so measured does not exceed 10 kilowatts over a period of 12 consecutive months, the demand meter shall be removed. When consumption for two consecutive months exceeds the higher of 2,500 kilowatt-hours or 120% of the highest kilowatt use in any month during the previous period of demand measurement, a demand meter shall be reinstalled to determine the demand.

(2) By estimate. Where the connected load is 10 kilowatts or less, the demand shall be 100% of the connected load unless under the measurement provision hereof a demand has been previously established by measurement, in which case the highest demand so established during the last 12 months of measurement shall be used.

J. Applications for service.

(1) Before electric service will be furnished to a new property, the owner must obtain from the business office, sign and file an owner's electric permit for service.

(2) The consumer (if not the owner) must pay all required deposits.

(3) The owner is liable for all electric bills and service charges properly due from and unpaid by the lessee. Such unpaid bills and charges become a lien against the property in accordance with

the provisions of the Revised Statutes of the State of New Jersey.

K. Service provided.

- (1) In new residential developments in new streets being installed in the development, the owner will install all poles, streetlights, transformers and lines, whether overhead or underground, and, upon completion, the system will be dedicated to the Borough. If in any new development a lot has a side yard or fronts on an accepted street and the service drop can be made from that accepted street, the Borough will install the service drop. The owner will give to the Borough executed rights-of-way, easements, tree-trimming rights and rights to install anchor guys on private property where such are needed before any service, including construction service, is supplied.
- (2) The layout of electric service and materials shall be approved or specified by the Borough's Electric Department for all electric utility lines on private property and nonaccepted streets. All rights-of-way and easements, including maintenance and tree trimming, shall be executed and presented to the Borough before any service is supplied.
- (3) In the event that the Borough is required to supply electricity through lines and equipment which are not the property of the Borough or dedicated to public use, such lines and equipment shall be placed or installed along the rear or side property lines and not in any street area. In such instances the Borough reserves the right:
  - (a) To place a meter at the end of the public supply line.
  - (b) To discontinue service when the charges indicated by said meter to be due to the Borough are not promptly paid.
  - (c) Upon notice to the affected consumers, to discontinue the service of electricity to and through lines and equipment located on private property which the Borough considers to be inadequate, substandard, in a state of disrepair or dangerous to persons and property.

L. Normal service. For normal lighting and residential use, the Department maintains approximately 120 volts, 60 cycles, alternating current at the consumer's meter. This voltage should not normally vary more than 10% above or below that figure. Direct current is not supplied by the Electric Department of the Borough of Pemberton.

M. Types of service supplied.

- (1) Three-wire, single-phase, 120/240 volts.
  - (a) For all residential lighting use and combinations of lighting and power, provided that individual motors do not exceed 7 1/2 horsepower each. The Department should be advised if any motors in excess of one horsepower are to be used.
  - (b) The voltage supplied is 120 from one wire to neutral, or 240 across the outside wires.
  - (c) A one-hundred-ampere service entrance switch is the minimum permitted.
- (2) Four-wire, three-phase, 120/208 volts. On secondary installations where, in the judgment of the Electric Department, the customer's installation and power demand is sufficiently large to

warrant it, the Department will require the customer to furnish, at his expense and on his premises, either a transformer vault or the equivalent outdoor structure to house and support transformers.

N. Service installations. The normal service drop will be overhead, from a Borough line at a Borough pole directly to a residence or place of business. The Borough will supply and install at its expense such overhead service drop for a distance of 100 feet from its mains without the installation of a pole on the property of the residence or business. If the installation of a pole is required, the Borough will install the drop to the pole, but the cost of the pole and of the installation thereof will be at the order and expense of the property owner or other person requesting the installation. Any additional poles or further extensions of lines to the residence or business beyond 100 feet from the Borough mains will also be at the expense of the property owner or other person requesting the installation. Such extensions beyond the normal service drop will be dedicated to the Borough, and the necessary easement, license or other form of permission will be given to the Borough for the purposes of maintaining such lines and further extending the same, if required.

O. Meters.

- (1) The Department installs, reads, tests, repairs, removes and replaces all electric energy meters.
- (2) All meters installed are the property of the Borough of Pemberton, and only employees of the Electric Department are permitted to install, service, adjust, test, repair or remove them. No person, other than authorized Borough personnel, shall remove any electric meter from any location where the same has been installed, nor shall any unauthorized person attach wires to or around a meter or interfere with its normal operation.
- (3) When any customer believes a meter to be registering improperly, he may request the business office to have it tested. A charge of \$20 shall be made for the test and must be paid when application is made for it. Should the test indicate that the meter is registering more than 3% inaccurately either way, the \$20 fee will be returned to the person who paid for it.
- (4) It is the responsibility of both owner and tenant to keep the meters free from obstructions and readily available to Electric Department employees during normal business hours.
- (5) A consistently wet cellar is a hazard to employees when reading or servicing a meter. Either a dry floor or duckboards must be provided; otherwise the Electric Department may require that the meter be moved, at the expense of the owner, to a safe, accessible location.
- (6) Meters located in attics, closets or other inaccessible, congested or hard-to-reach locations shall be moved upon request to an accessible location satisfactory to the Department. The Department will notify the owner and/or consumer of any such meters.
- (7) Owners of premises where outdoor meters are installed must not permit shrubbery, brush, trees or other obstructions to hinder access to such meters. No planting shall be permitted nor shrubbery allowed to encroach within 36 inches of the sides or face of any meter.
- (8) When a meter is found to be obstructed or in an unsafe or unusually difficult location to reach, the Department will notify the owner of the premises thereof, and such meter shall be relocated to a site satisfactory to the Department within 10 days after notification, at the owner's expense. At the end of the ten-day period, the premises will be inspected, and, if the



unsatisfactory conditions have not been corrected, the service may be discontinued until satisfactory remedial measures have been completed.

P. Meters and connections.

- (1) All meters will be furnished and set by the Department and remain the property of the Borough of Pemberton.
- (2) Only authorized personnel of the Public Utilities Department may set, adjust, test or remove a meter.
- (3) No person may connect any appliance or device on the Department's side of the customer's fuse box.

Q. Sealing of meters and devices.

- (1) It is the practice of the Electric Department to seal all meters, service entrance switches or indoor meters, instrument transformer cabinets and test switches.
- (2) When service is provided prior to completion of the wiring or if service is temporarily discontinued, the Department reserves the right to seal or padlock all service cabinets with the main switch locked in the off position instead of removing the meter. Only authorized personnel of the Department are permitted to interfere with or remove such a seal or padlock.

R. Additions and alterations. Changes in apparatus or electrical equipment connected to the Borough's lines, either by addition or placement, which alter the characteristics of or increase the demand upon the service must not be made without the prior approval of the Electric Department.

S. Dedication of rights-of-way.

- (1) Trees contained in the area between the curb and sidewalk are the sole responsibility of the property owner. However, the Borough Electric Department reserves the right to trim such trees in order to ensure continuity of service and protection of the distribution system.
- (2) All of the rights-of-way, easements, rights of entry and tree-trimming rights shall be executed and presented to the Department before any service, including the construction service, is supplied to any unit.

T. Meter pans and weather heads. Meter pans and weather heads shall be securely fastened to accommodate the Borough's equipment. All poorly secured meter pans will necessitate removal of the Borough's meter and discontinuance of service until remedy is made.

U. Matters of general application.

- (1) No attachments of any kind may be made to the poles, structures, equipment or other property under the jurisdiction of the Electric Department.
- (2) Only duly authorized persons are permitted to climb poles or structures of the Electric Department.

- (3) Admission to the operations buildings, structures and property under the control of the Electric Department is authorized only by written permission from the office.
- (4) The Borough will not be responsible in any way for failures, defects, deficiencies or inadequacies in the consumer's wiring, fixtures or electrical equipment, nor for any power loss or damage which may result from such defects, deficiencies or inadequacies.
- (5) The Borough does not guarantee uninterrupted service but will use reasonable care to provide an uninterrupted supply of electricity to the customer's premises. The Borough will not be liable for damages, direct or consequential, or for interruption to or curtailment of the customer's service supply by reason of acts of God, accidents, strikes, legal process, governmental interference or other causes beyond Borough control.
- (6) Single point of delivery. The rates specified for each class of service are predicated upon the delivery of service to a single metering point for the total requirements of each separate premises of the consumer. Service at different points and at different premises shall be separately metered and billed.
- (7) Residential purposes. Service rendered to consumers for domestic and household use within a single dwelling unit is classified as residential service. Residential service does not include service to hotels and boarding- or rooming houses where the number of guest bedrooms available for public rental exceeds four in number.
- (8) Unusual conditions. The Company may refuse to supply service to loads of unusual characteristics which might affect the supply of service to the detriment of other consumers of the company. Service to such unusual loads may be supplied where the consumer has installed necessary regulating and protective equipment in accordance with the requirements and specifications of the company.

## § 90-7. Required deposit.

**[Added 2-16-1981 by Ord. No. 2-1981; amended 7-19-1982 by Ord. No. 2-1982; 3-19-1984 by Ord. No. 3-1984; 3-20-1989 by Ord. No. 3-1989; 5-15-2006 by Ord. No. 2006-8]**

- A. All persons, corporations, partnerships and other entities, including those who rent or lease, who seek to purchase electricity supplied by the Borough of Pemberton shall deposit with the Clerk of the Borough of Pemberton or such other designee ordained by the Borough Council a sum of money as follows:
  - (1) Residential: a sum of \$300.
  - (2) Commercial: a sum of \$600.
  - (3) Electrical heating systems: a sum of \$600.
- B. The user shall, so long as he, she or it receives electricity from the Borough of Pemberton, maintain the deposit in the sum set forth in Subsection **A**.
- C. A failure to maintain the deposit level as set forth above shall be equivalent to a failure to pay the monthly billing charges, in which event the Borough may initiate all proceedings heretofore

reserved to the Borough for nonpayment.

- D. Said deposit shall be maintained by the Borough Clerk in a non-interest-bearing account and shall be returned to the user upon termination of service to the user and upon satisfaction to the Borough Clerk that all outstanding charges for electrical use attributable to said user have been paid in full.
- E. This section shall not apply to existing customers on the effective date hereof but shall apply to existing customers whose accounts hereafter are shut off for nonpayment of a bill who thereafter desire restoration of service.

## Article II. Interconnecting with Self-Generation Equipment

**[Adopted 9-20-2004 by Ord. No. 2004-12]**

### § 90-8. Consultation with Electric Department.

- A. To assure safety and the optimum value for both the resident-customer and the Pemberton Borough Electric Department, it is essential for the resident-customer to consult with the Electric Department before purchasing, constructing, operating, or interconnecting any self-generation equipment to the system. No self-generating equipment may be connected to the Pemberton Borough electric distribution system unless the resident-customer notifies the Borough Clerk and all necessary equipment, in the opinion of the Pemberton Borough Electric Department, is properly installed to isolate the generating equipment from the Pemberton Borough electric distribution system.
- B. The Pemberton Borough Electric Department will assist the resident-customer in evaluating the feasibility of the proposed self-generation project, in particular helping the resident-customer evaluate the economics of the project after taking into account the resident-customer's responsibility and obligation to pay all interconnection costs.

### § 90-9. General requirements.

- A. No self-generating equipment or facility may be connected to the Pemberton Borough electric distribution system without express authorization from the Pemberton Borough Electric Department and unless the requirements contained in this article are fully and completely satisfied.
- B. Resident-customers must provide complete plans and specifications of the proposed equipment, including a single-line diagram and details of proposed protective schemes. Plans must be certified by an electrical engineer. Upon receipt of the certified plans and a fee of \$3,500, as provided in Subsection G below, to compensate the Borough of Pemberton for the cost of engineering services provided herein, the Pemberton Borough Electric Department will provide specific switching, breaker, and isolation plans for installation at the resident-customer's expense. Any review of plans by the Pemberton Borough Electric Department does not constitute approval of the correctness of resident-customer's plans.
- C. Installation must be in compliance with the National Electrical Code and all applicable municipal,

county, and federal codes or regulations.

- D. Prior to connection to the Pemberton Borough electrical distribution system, the equipment and interconnection shall be inspected by the Pemberton Borough Electric Department or its qualified representative. Inspections undertaken by the Pemberton Borough Electric Department shall be undertaken solely for the purpose of determining compliance with the proposed plans and for the safety and integrity of the Pemberton Borough electrical distribution system. Nothing done by the Pemberton Borough Electric Department's inspector shall constitute approval or waiver by any other inspector who may be authorized to inspect such facility and interconnection.
- E. Prior to interconnection with the Pemberton Borough electrical distribution system, resident-customer shall enter into a written agreement with the Borough of Pemberton. In addition to the operating provisions contained in this article, this agreement shall permit unlimited right of entry to the resident-customer's property for safety reasons or to disconnect whenever the Pemberton Borough Electric Department believes that continued operation of the self-generation equipment could result in harm to the Pemberton Borough electric distribution system or to a resident-customer of the Borough of Pemberton. Pemberton Borough employees shall have the right to inspect and test the interconnection facilities during reasonable hours. This agreement also shall require the safe operation of the equipment or facility, indemnification of the Borough of Pemberton for damages of any type, including, but not limited to direct, consequential, punitive damages, to the Borough of Pemberton or any other resident-customer as a result of the operation of the self-generation equipment or facility. The agreement shall contain such other provisions as are appropriate for the protection and safe operation of the Pemberton Borough electrical distribution system.
- F. The resident-customer shall be responsible for the safe operation of the self-generation equipment and shall be responsible for all costs of repairs, corrections, or updating of interconnection facilities.
- G. The resident-customer shall be financially responsible for all costs of interconnection, including, but not limited to, review of the plans for equipment and the proposed isolation scheme, voltage regulation, wiring, labor, special metering, and inspection. Pemberton Borough Electric Department, or its designee, shall provide a good faith estimate of the cost of reviewing the plans, inspections, and for the cost of all equipment that may be necessary to interconnect the self-generating equipment with the Pemberton Borough electrical distribution system, and the resident-customer shall pay the Borough of Pemberton the full amount of the good faith estimate. Any amounts not expended shall be returned to the resident-customer. Any additional costs reasonably incurred by the Borough of Pemberton to complete the interconnection with the resident-customer shall be paid to the Borough of Pemberton prior to interconnection. The resident-customer shall be responsible for the cost of periodic testing of the interconnection facilities.
- H. The resident-customer shall not change any aspect of the operation, the wiring, the controls, or the interconnection of the self-generation equipment without first providing prior written notice to the Pemberton Borough Electric Department of all proposed changes to the plans or the as-built drawings, as the case may be. All changes or proposed changes shall be certified for an electrical engineer, in the same manner as provided in Subsection **A** above. This information is essential for determining whether the existing interconnection equipment is adequate for the requirements and for safety reasons in the event of emergency cutoff. Resident-customer shall

pay all reasonable engineering fees incurred by the Pemberton Borough to review and inspect the proposed installation.

- I. Self-generating equipment that is intended to operate in parallel with the Pemberton Borough electrical distribution system shall be subject to a contract that provides for such interconnected parallel operation.

## **§ 90-10. Electrical requirements.**

- A. For facilities intended to operate in synchronization with the Pemberton Borough electrical distribution system:

- (1) The interconnection point between the self-generator and the Pemberton Borough electrical distribution system shall be on the resident-customer's side of the designated metering location. It shall operate in synchronization with the Borough's system.
- (2) Electrical quality must be 60 Hz, alternating current having voltage and phase characteristics acceptable to the Pemberton Borough electrical distribution system. Operation of the self-generating unit shall not result in flicker, voltage fluctuations, interference with electronic equipment, or damage to the Borough's transmission system or resident-customer owned equipment.
- (3) Equipment shall be capable of being manually and automatically isolated from the Pemberton Borough electrical distribution system within a maximum of 10 seconds, and provide for automatic disconnection from utility lines that have been de-energized.
- (4) All costs incurred to interconnect the self-generation equipment shall be the responsibility of the resident-customer.

- B. For generating equipment not intended to operate as interconnected generating facilities:

- (1) Resident-customer shall install all equipment, switches and devices necessary to allow such facility that is capable of being served by the generating equipment to be electrically isolated from the Pemberton Borough's electrical distribution system.
- (2) All generating equipment subject to this subsection shall be designed so that it is incapable of being operated unless it is isolated and disconnected from the Pemberton Borough electrical distribution system.

## **§ 90-11. Meter requirements.**

- A. All metering costs associated with the interconnection or the interconnected operation of the equipment shall be the responsibility of the resident-customer.
- B. Any deliveries to the Pemberton Borough electrical distribution system shall be through a separate billing meter. Reversing meters are not permitted.

## **§ 90-12. Purchase of excess generation.**

- A. Pemberton Borough and resident-customer shall enter into an agreement that addresses all purchase and payment obligations. The Borough of Pemberton shall only be required to purchase from PURPA qualifying facilities, pursuant to 18 CFR Section 292.300.
- B. Rates for the purchase of excess energy from the PURPA qualifying facility shall be based upon the Borough of Pemberton's avoided cost. The avoided cost shall be calculated so that it takes into account the all inclusive cost of energy, including capacity costs, availability, dispatchability, load limitations, operating contingencies, or limitation, energy costs, and administrative costs. If the Borough of Pemberton does not require capacity and would receive no benefit from the addition of capacity, the Borough of Pemberton shall only pay for the avoided cost of energy, excluding all capacity costs.

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