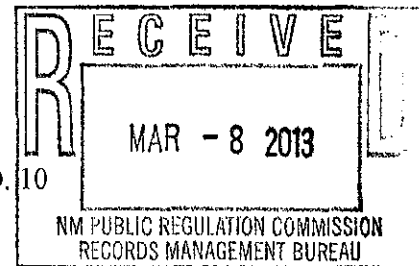


SIERRA ELECTRIC COOPERATIVE, INC.
FIRST REVISED RULE NO. 10
CANCELING ORIGINAL RULES AND REGULATIONS NO. 10

DISPUTED BILLS



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1. Request Tests. Upon request by a customer the cooperative shall test the meter serving that customer. The cooperative shall advise the customer that he/she may be present during the meter test. If the meter has been tested within the last eighteen (18) months the cooperative may charge the Customer the applicable amount provided for in its filed rules, such charge to be refunded to the customer whenever the meter proves to be in excess of two percent (2%) in error.

a. The Customer or his/her representative may be present when his/her meter is tested, if such customer's request to be present is made at the time of his/her request for the meter test. The cooperative shall give the customer reasonable advance notification as to the day, time, and place of the test.

b. A report of the results of the test shall be made to the customer within a reasonable time after the completion of the test, and a record of the report together with a complete record of each test, shall be kept on file at the office of the cooperative for a period as long as prescribed in Subsection K of 17.9.560.14 NMAC.

2. Adjustment of Bills.

a. General - An adjustment of bills for service shall be made for the following reasons and may be for reasons not listed below in order to achieve a reasonable, fair, and just result:

1. Meter creep;
2. Kilowatt-hour registration in excess of 2% average error determined by meter test;
3. Demand registration in excess of 1% error in addition to errors allowed under accuracy of demand meters, Subsection H of 17.9.560.14 NMAC;

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Final Order Case No. 11-00385-UT

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General Manager

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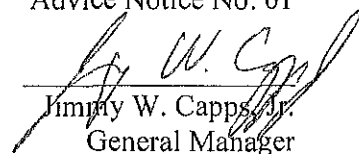
4. Failure of meter or equipment including automatic meter reading technology if such failure was not the results of a customer tampering with, damaging, replacing or deliberately destroying the equipment furnished and owned by the cooperative;
 5. Improper installation, testing of inspection of equipment;
 6. Improper application of rate schedule;
 7. Improper multiplier;
 8. Improper application of a tax;
 9. Failure of cooperative to bill a customer for services at the time the customer received the services; or
 10. Failure for a customer to provide safe and reasonable access to cooperative equipment.
- b. The amount of the adjustment shall be calculated on the basis that the metering equipment should be 100 percent (100%) accurate with respect to the testing equipment used for making the test. For watt-hour meters, the average accuracy shall be the arithmetic average of the percent registration at light load and at heavy load, giving the light load registration a weight of one (1) and the heavy load registration a weight of four (4).
- c. Determination of Adjustments. Unless otherwise specified, the time periods established in 17.560.12.E.8 NMAC shall apply to adjustments made under 17.560.12.E.3 NMAC.
1. Meter Creep. The error in registration due to creep shall be calculated by timing the rate of creeping and assuming that this creeping affected the

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registration of the meter for twenty-five percent (25%) of the time since the meter was installed or since the last previous test, whichever is later.

2. Meter with Inaccuracy in Excess of Specified Limits. If the date when the error in registration began can be determined, such date shall be the starting point for determination of the amount of the adjustment. If the date when the error in registration began cannot be determined, it shall be assumed that the error has existed for a period equal to one-half (1/2) the time elapsed since the meter was installed or one half (1/2) the time elapsed since the last previous test, whichever is later.

3. Failure of Meter or Equipment. When the error in registration is caused by failure of part or all of the metering installation, it shall be permissible to use the registration of check metering installations, if any, or to estimate the kilowatt-hour consumption, demand and other data required for billing based upon a period of similar operating conditions as agreed to between the customer and the cooperative.

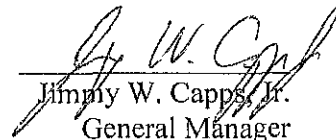
4. Improper Installation, Testing or Inspection of Meter or Equipment. When the error in registration is caused by improper installation, testing or inspection of meter or equipment, the date of installation, date of test, or date or inspection shall be the starting point for determination of the amount of adjustment.

d. Refunds.

1. If the recalculated bills indicate that a refund is due an existing customer, or a person no longer a customer of the cooperative, the full amount of the calculated difference between the amount paid and the true amount shall be refunded in the applicable time period established in 17.560.12.E. (8) NMAC.

2. The refund to an existing customer may be in cash or as a credit on a bill. In the case of a previous customer who is no longer a customer of the

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cooperative, a notice of the amount due shall be mailed to such previous customer at his last known address, and the cooperative shall, upon demand within three months thereafter, refund the amount.

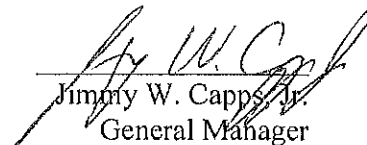
e. Backbilling.

1. If the recalculation of billing indicates that an amount is due the cooperative, and such amount is in excess of any refund due the customer, the cooperative may bill the customer the true amount due in the applicable time period established in 17.560.12.E(8) NMAC.
2. The minimum amount below which the cooperative will not backbill a customer is as approved by and on file with the Commission. When the amount of the backbilling is greater than the established minimum amount, the customer will be billed the true amount due the cooperative in the applicable time period established in 17.560.12 E(8) NMAC.
3. The customer shall be permitted to pay the amount of the back-billing in reasonable installments. A backbill shall be accompanied by an offer of an installment agreement.
4. The cooperative shall not charge the customer interest for any amount back-billed.

f. The cooperative and its special contract customers may make their own agreements respecting adjustments for errors in measurements.

g. The cooperative will assist the customer in selecting the rate schedule under which the he/she is eligible to be billed. However, the cooperative will not be held responsible for refunding any overcharge caused by the customer's failure to select the appropriated rate schedule or by the customer's failure to notify the cooperative of a change in customer's operation. If the cooperative improperly applies the rate schedule selected by the customer, any billing in excess of the true

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amount will be refunded to the customer and any billing less than the true amount when greater than the established minimum amount will be billed to the customer in the time applicable period established in 17.560.12.E (8) NMAC.

h. Time periods for adjustment of bills.

1. Residential customer class (metered usage): Refunding of an overbilling is limited to 12 months. Backbilling of an underbilling is limited to 6 months. Customers responsible for the backbilled underbill shall be given, at a minimum, the same time period to pay the underbilling as the length of time period of the underbilling.
2. Residential customer class (zero usage or no bill) Backbilling is limited to 6 months. Customers responsible for the backbilled underbill shall be given, at a minimum, the same time period to pay the underbilling as the length of time period of the underbilling.
3. Non-residential small commercial customer class, as defined by tariff: Refunding of an overbilling is limited to 6 months. Backbilling of an underbilling is limited to 6 months. Customers responsible for the backbilled underbill shall be given, at a minimum, the same period to pay the underbilling as the length of time period of the underbilling.
4. All other non-residential customer class, such as medium, large or industrial as defined by tariff. Refunding of an overbilling is limited to 12 months. Backbilling is limited to 12 months. Customers responsible for the backbilled underbill shall be given, at a minimum, the same period to pay the underbilling as the length of time period of the underbilling.
5. Backbilling customer is limited to 72 months for underbilling that was determined by tampering or fraud by the customer.

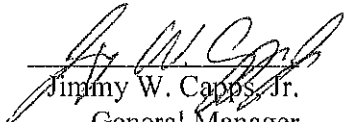
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6. Notwithstanding the above time limits, the Commission may determine a different time limit for back-billing or refunding in order to achieve a reasonable, fair and just result.

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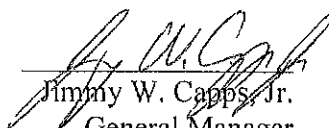
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