

SPECIAL CONSTRUCTION

8. Special Construction

8.1 Excess Construction Charge

- A. Where no facilities are in place, the Cooperative will build one-third of a mile of circuits to any rural Member for business or residence use without excess construction charges.
- B. For all distance over one-third mile an excess construction charge based on the time and materials used for construction will be charged.
- C. The first 1000 feet of circuit on private property for local exchange service will be provided by the Cooperative. Any distance beyond the first 1000 feet will be charged to the Member at time (loaded labor rate) and materials used for construction. An advance payment of the reasonable cost of construction will be required. The Member shall furnish suitable right-of-way to the Cooperative.
- D. For mobile homes, trailers, construction sheds, and other non- permanent buildings, the Member may be required to pay in advance one year's rental in addition to any excess construction charge. This credit may not be used to reduce the monthly bill for toll or taxes, and no portion will be refunded to the Member if service is discontinued before credit is entirely used.
- E. Ownership of all facilities constructed under this section up to the demarcation point will remain with the Cooperative.

8.2 Special Construction

- A. When a special type of construction is desired by a Member, as when underground service connections are desired in places where aerial drop wires are regularly used to reach Member's premises, an additional charge is made. This charge is equal to the difference between the estimated cost of the special type of construction and the average cost of standard construction.
- B. Title to all facilities constructed and paid for wholly or in part by the Member is vested in the Cooperative.

SPECIAL CONSTRUCTION (Continued)

8. Special Construction (Continued)

8.3 Temporary Service

- A. Where plant construction is required to provide exchange, extension line, etc., service, temporary in character, the Cooperative may require the applicant to pay charges based upon the costs involved or to contract for service beyond the initial period or both.

8.4 Installations of Telephone Lines Within Subdivision, Telephone Lines Constructed, Installed and Owned by Utilities in Subdivisions Shall be Installed Underground.

- A. The following definitions are used in this section of the Assessment Schedule:

APPLICANT: The developer, builder, or other person, partnership, association, firm, private or public corporation, trust, estate, political subdivision, governmental agency, or other legal entity recognized by law, applying for the construction of a telephone distribution system in a subdivision.

BUILDING: A single structure roofed and enclosed within exterior walls, built for permanent use, erected, framed of component structural parts and unified in its entirety both physically and in operation for single-family residential occupancy in a subdivision (Definition excludes mobile home).

SUBDIVISION: A lot, tract, or parcel of land divided into two or more lots, plots, sites or other divisions for use for new residential buildings or the land on which is constructed new multiple-occupancy buildings per a recorded plot thereof if such recordation is required by law.

SPECIAL CONSTRUCTION (Continued)

8. Special Construction (Continued)

8.4 Installations of Telephone Lines Within Subdivision, Telephone Lines Constructed, Installed and Owned by Utilities in Subdivisions Shall be Installed Underground.
(Continued)

- B. The Cooperative upon receipt of the applicant's proper application will install an underground telephone system with suitable materials to assure that the applicant will receive reasonably safe and adequate telephone service. The provision of the underground telephone system will be provided at no charge except where a charge is permitted under Paragraphs (D) and (F) of this section of the Assessment Schedule. Temporary service is provided under Paragraph (E) of this section of the Assessment Schedule.
- C. Rights-of-Way and Easements
1. Within the applicant's subdivision, the Cooperative will construct, own, operate, and maintain underground telephone lines only along public streets, roads, and highways which the Cooperative has the legal right to occupy, and on public lands and private property across which rights-of-way and easements satisfactory to the Cooperative may be obtained without cost or need for condemnation by the Cooperative.
 2. Rights-of-way and easements, within the subdivision, satisfactory to the Cooperative, must be furnished by the applicant in reasonable time to meet construction and service requirements before the Cooperative shall be required to commence its installation. Such rights-of-way and easements must be cleared of trees, tree stumps and other obstructions and graded to within six inches of final grade, by applicant, at no charge to the Cooperative. Such clearance and grading must be maintained by the applicant during construction by the Cooperative.

SPECIAL CONSTRUCTION (Continued)

8. Special Construction (Continued)

8.4 Installations of Telephone Lines Within Subdivision, Telephone Lines Constructed, Installed and Owned by Utilities in Subdivisions Shall be Installed Underground.
(Continued)

D. Advance Payments

1. Where, due to the manner in which a subdivision is developed, the Cooperative is required to construct an underground telephone distribution system through a section or sections of the subdivision where service will not be connected for at least two years, then the Cooperative may require an advance payment equal to the estimated cost of construction from the applicant before construction is commenced. If in the judgment of the Cooperative an advance is required under the above described conditions, the Cooperative has the right to refuse installation of the underground system until the required advance is paid to the Cooperative.
2. If an advance is required under these rules, then the advance, without interest, shall be returned to the applicant on a pro-rata basis as the permanent service connection is made to each building or multiple-occupancy buildings.
3. Any portion of an advance remaining unrefunded ten years from the date the Cooperative is first ready to render service with the extension will be retained by the Cooperative and credited to the appropriate construction account.

E. Temporary Facilities

1. Temporary facilities may be installed to provide service when necessary, for a maximum period of one year.
2. Where it is necessary to place temporary facilities in advance of the permanent underground telephone system in order to provide telephone service, the Cooperative may require the applicant to pay the estimated non-recoverable costs of the temporary facilities. If the required costs under the above described conditions apply, the Cooperative has the right to refuse installation of the temporary facilities until the required costs are paid to the Cooperative.

SPECIAL CONSTRUCTION (Continued)

8. Special Construction (Continued)

8.4 Installations of Telephone Lines Within Subdivision, Telephone Lines Constructed, Installed and Owned by Utilities in Subdivisions Shall be Installed Underground.
(Continued)

F. Special Conditions

1. In circumstances, where the application of these rules appears impractical or unjust to applicant or the Cooperative, or discriminatory to other Members, (e.g., difficult rock conditions), the Cooperative or applicant shall refer the matter to the Illinois Commerce Commission for special ruling or for the approval of special conditions which may be mutually agreed upon prior to commencing construction.

8.5 Special Assemblies of Equipment or Speculative Projects

Special assemblies of equipment or speculative projects for which provision is not otherwise made in the Assessment Schedule may be provided where practical if not detrimental to any of the services furnished by the Cooperative.

- A. The charge for such facilities may be in the form of an installation charge, a monthly charge, a termination charge, or any combination thereof and will include, when applicable, one or more of the following estimated expense items associated with the special equipment or service provided.

1. Maintenance expense
2. Depreciation expense
3. Administration expense
4. Taxes--including federal income tax
5. And other specific items of expense that may be associated with the facility provided
6. A reasonable return on investment

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SPECIAL CONSTRUCTION (Continued)

8. Special Construction (Continued)

8.5 Special Assemblies of Equipment or Speculative Projects (Continued)

B. The estimated installation cost used in the derivation of the various expense items shall include the following:

1. Material
2. Material overhead
3. Installation labor
4. Installation labor overhead