

Bonneville Power Administration

CUSTOMER LOAD
ELIGIBILITY GUIDELINES

For the Residential Exchange Program
Residential Purchase and Sale Agreements and
Residential Exchange Program Settlement Implementation Agreements

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CUSTOMER LOAD ELIGIBILITY GUIDELINES

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CUSTOMER LOAD ELIGIBILITY GUIDELINES

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1. INTRODUCTION

In 1980, Congress enacted the Pacific Northwest Electric Power Planning and Conservation Act (Northwest Power Act). The Northwest Power Act authorizes Northwest utilities to exchange their generally higher-cost power for an equivalent amount of Bonneville Power Administration's (BPA) lower-cost power. BPA has established the Residential Exchange Program (REP) to carry out this prescribed exchange. The REP was developed in order to address wholesale rate disparity between the region's investor-owned utilities (IOUs) and public utilities. Under the REP, no actual power is exchanged; instead, BPA makes cash payments to the participating utilities based on the difference between their respective Average System Costs (ASC) and BPA's power rate for the exchange, referred to as the PF Exchange rate. The difference between a utility's ASC and BPA's PF Exchange rate is multiplied by the utility's residential and farm load to determine the utility's individual REP payments.

By law, the payments provided under the REP must be "passed through directly" to the utility's "residential loads" as that term is defined by the Northwest Power Act. Section 3(18) of the Northwest Power Act defines "residential use" or "residential load" as "all usual residential, apartment, seasonal dwelling and farm electrical loads or uses, but only the first four hundred horsepower during any monthly billing period of farm irrigation and pumping for any farm." 16 U.S.C. § 839(3)(18).

BPA has prepared these Customer Load Eligibility Guidelines ("CLEG" or "Guidelines") to provide additional guidance to exchanging utilities in determining whether residential, farm, and irrigation loads are eligible for REP benefits under the Northwest Power Act. These Guidelines are intended to provide additional clarification to the definitions provided in the Northwest Power Act and are intentionally broad to facilitate less complex review processes and more accurate and consistent determinations by utility participants. They are intended as guidelines only and do not address every situation.

Utilities are strongly encouraged to review, on a periodic basis, existing accounts and make inquiries as needed to ensure continued eligibility. Utilities are also strongly encouraged to consult with BPA Staff for guidance on eligibility determinations. Ultimately, BPA has the right to review and approve all final eligibility determinations in consultation with the utility, the provisions of the Northwest Power Act, these Guidelines, and the specific facts of each case, as may be needed in order to make an informed final determination. As provided under the Residential Exchange Program Settlement Implementation Agreement (REPSIA) and the Residential Purchase and Sales Agreement (RPSA), BPA may review the utilities' records, accounts and related documents pertaining to the REP, as needed. These Guidelines supersede and replace, in their entirety, all previously issued load eligibility guidelines, including the two versions of Customer Load Eligibility Guidelines dated November 2009 and February 2010. These Guidelines do not establish any BPA policy or decision and may be modified or cancelled at any time, at BPA's sole discretion.

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2. OVERVIEW OF GUIDELINES

2.1. Statutory Overview.

Section 3(18) of the Northwest Power Act defines “residential use” or “residential load” as “all usual residential, apartment, seasonal dwelling and farm electrical loads or uses, but only the first four hundred horsepower during any monthly billing period of farm irrigation and pumping for any farm.” 16 U.S.C. § 839(3)(18). The adjective “usual” is considered as “commonly or ordinarily used” or “found in ordinary practice or the ordinary course of events” for purposes of these Guidelines.

Only loads within the “Pacific Northwest” or the “Region,” as defined in the Northwest Power Act, are eligible for REP benefits. 16 U.S.C. § 839a(14), *et seq.* In developing these Guidelines, BPA has distinguished three general classes of service eligible for benefits:

- Residential (non-farm)
- Farm
- Irrigation/Pumping

The definitions associated with the three classes of service are intended to be used as guidelines in making eligibility determinations.

2.2. Qualifying Exchange Loads Eligible for Benefits.

Exhibit A of the utility’s REPSIA or RPSA defines Qualifying Residential and Small Farm Load as the sum of the loads within the Region eligible for the REP benefits under the tariff schedules, in accordance with these load eligibility guidelines, and as adjusted for distribution losses as determined pursuant to the 2008 ASCM, as it may be revised, supplemented, or superseded. For purposes of these Guidelines, utilities’ residential and farm loads, which qualify as Qualifying Residential and Small Farm Load, will be referenced as “Qualifying Exchange Load.”

If BPA determines that a customer account of a participating utility is being paid REP benefits for other than Qualifying Exchange Load, such load shall be excluded from the utility’s eligible load for REP benefit calculation purposes, and the utility may need to reimburse BPA for ineligible benefits received.

3. RESIDENTIAL (NON-FARM)

3.1. Definition of Residence.

A “residence” is a structure used by one or more persons for daily living and associated activities. A residence is eligible for REP benefits as long as its purpose is to provide shelter on a non-transient (greater than 30 days) basis.

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3.2. Mixed Residential and Commercial Uses.

Load related to commercial enterprises metered through a bona fide residence is eligible for REP benefits as long as the commercial activity consumes less than 50 percent of the total load and is not separately metered.

3.3. Examples of Eligible Residential Loads or Uses.

Residential loads or uses that qualify for benefits include single and multi-family dwellings, nursing and group homes, and seasonal dwellings (beach houses, mountain cabins, condominiums, and motor homes/recreational vehicles) used as permanent or seasonal residences in fixed locations.

Facilities associated with daily life are also eligible for REP benefits. These include swimming pools, hot tubs, tool or equipment sheds, security, parking, and outdoor area lighting, laundry rooms, and storage areas.

3.4. Examples of Ineligible Residential Loads or Uses.

Transient dwellings, including hotels, motels, campsites, and motor homes/recreational vehicles used other than as permanent or seasonal residences in fixed locations, do not qualify for residential exchange benefits.

Additional examples of eligible and ineligible residential loads are discussed in Section 7 of these Guidelines.

4. FARM

4.1. Definition of Farm.

A “farm” consists of one or more parcels of land owned or leased by one or more persons or entities (including partnerships, corporations, and any legal entities capable of owning farm land except the “government” as defined in these Guidelines¹) that is used primarily for agriculture. The following definitions are included to assist with farm eligibility determinations:

- a) “Agriculture” includes the science or art of cultivating soil, growing and harvesting crops, and raising livestock.
- b) “Livestock” are animals and fowl that are kept for profit or pleasure.
- c) “Pasture” is vegetation grown for the feeding of grazing animals and fowl.

¹ For the purposes of these Guidelines, “government” includes Federal, state, and local agencies.

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5. FARM LOADS

Electric loads and irrigation/pumping loads are both allowed, with certain exceptions, to receive REP benefits.

5.1. General Farm Use.

Electric loads associated with general use on the farm (*i.e.*, heating, cooling, storage of product(s), and area lighting) are eligible for REP benefits.

Small pumps located on farms that have constant rather than seasonal loads are usually classified as general farm loads and not irrigation loads, and are eligible for REP benefits.

5.2. Incidental and Commercial Processing Loads Associated with a Farm.

5.2.1. Incidental Processing Loads Eligible for REP Benefits.

Electric loads associated with “incidental processing” of the product(s) of the farming operations are eligible for REP benefits subject to certain limitations which are described in Section 5.2.3. “Incidental processing” on a farm (whether agricultural or livestock) includes necessary or usual and customary processing of products in preparation for market, such as washing, sorting, grading, packaging, and drying products. The products must have originated from that farm and generally remain in their “original state.”

5.2.2. Commercial Processing Loads Ineligible for REP Benefits.

Except as described in Section 5.2.3 below, commercial processing is not eligible for REP benefits. “Commercial processing” on the farm (whether agricultural or livestock) includes the processing of a product which significantly transforms the product to other than its original state.

5.2.3. Mixed-Use Incidental and/or Irrigation/Pumping, and Commercial Processing Loads on a Single Meter.

Commercial processing of products grown or raised on a farm may be eligible for REP benefits in certain instances. If the general farm use, irrigation/pumping, and/or incidental processing share a single meter with commercial processing (mixed-use meter), commercial processing will be allowed, provided the total amount of load attributable to the commercial processing does not exceed 50 percent of the total load per calendar year on that mixed-use meter (50% Rule). If the load attributable to commercial processing exceeds the 50 percent threshold, or if a reasonable determination cannot establish what portion of the mixed-use load is commercial, all of the load on the mixed-use meter will be deemed ineligible to receive benefits. For farms with more than one mixed-use meter, each meter will be treated independently; that is, the 50% Rule criterion

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will be applied separately to each mixed-use meter and not in aggregate for the entire farm.

If a mixed-use meter includes irrigation/pumping load, that mixed-use load should be included as part of the total meter load. Additionally, the irrigation or pumping load must be added to any other irrigation/pumping load for the purposes of calculating the irrigation/pumping load attributable toward the 220,000 kWh/month (400 HP) Irrigation/Pumping Load Cap.

If the total load as measured on a mixed-use meter meets or exceeds 100,000 kWh/year, an "REP Certification" form must be completed for the account to be eligible for REP benefits. See Section 6.4, *Mandatory REP Certifications for Large Loads on Mixed-Use Meters*, for additional details. If the account holder does not wish to provide and attest to the information necessary for the REP Certification, all of the load on the mixed-use meter that includes commercial processing will be deemed ineligible to receive REP benefits.

5.2.4. Incidental and/or Commercial Processing of Products Consumed or Used on Farms Eligible for REP Benefits.

Incidental and/or commercial processing is eligible for REP benefits without restriction if the processed product is grown on the farm and consumed or used entirely on the farm.²

5.3. Examples of Eligible Farm Loads or Uses.

Examples of the types of farms that are eligible for REP benefits include dairies, egg farms, tree farms, wholesale nurseries (nursery stock, not retail), and crops.

Examples of the types of uses that are eligible for REP benefits include all electric loads associated with general use on the farm such as heating, cooling, or storage of product(s), or area lighting.

Examples of incidental processing that are eligible for REP benefits include washing, sorting, grading, packaging, and drying of products, or milking cows.

² As an example, if an alfalfa farmer processes the alfalfa into pellets, and the pellets are fed to the farm's livestock, the load attributable to the processing of the pellets is considered eligible load, without restriction.

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5.4. Example of Ineligible Farms.

Golf courses, breweries, and granaries (where the agricultural product is *not* grown on site) are not eligible for REP benefits.

Farms growing any type of agricultural crop not recognized as “legal” by the federal government (including marijuana and hemp) are not eligible for REP benefits.

Additional examples of eligible and ineligible farm loads are discussed in Section 7 of these Guidelines.

5.5. Irrigation and Pumping Loads.

5.5.1. Definition of Irrigation and Pumping Load.

Under the Northwest Power Act, any farm may receive REP benefits for up to a maximum of 400 horsepower (HP)/month (222,000 kWh/month) of qualified irrigation/pumping load (the “REP Benefits Qualified Irrigation/Pumping Load Cap” or “Irrigation/Pumping Load Cap”).

The following definitions are included to assist with irrigation and pumping eligibility determinations.

- a) “Irrigation” is the process of supplying agricultural land with water by means of ditches, pipes, or streams.
- b) Agricultural “pumping” involves the transport of surface or groundwater for agricultural purposes.

5.6. Clarification of the Irrigation/Pumping Cap.

The Irrigation/Pumping Load Cap for each billing period shall not exceed 400 HP/month (222,000 kWh/month).

The irrigation/pumping load subject to the Irrigation/Pumping Load Cap includes any irrigation load consumed by the specific farm, including any load allocated from common irrigation/pumping installations or single meters as noted in Section 5.2.3.

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5.7. Irrigation Pumping Load and Multiple Farms.

5.7.1. Definitions.

The following definitions are included to assist with ownership and control determinations:

“Ownership” includes holding title to the farm in fee simple or a leasehold interest, which includes the right to farm the leased land and receive the benefits from such activities. If the same person or entity owns or leases more than one parcel that is served by the same REP-participating utility, or within that utility’s service territory, as applicable, the parcels, collectively, would be considered a single farm for purposes of the Irrigation/Pumping Load Cap. Concealing common farm leasehold interest or ownership for the purposes of circumventing REP benefit eligibility limitations for irrigation/pumping loads is not permitted. Tax identification numbers may be reviewed in determining eligibility.

“Control” pertains to a number of activities. The person or entity who is the decision-maker and financially responsible for the costs and entitled to the benefits associated with the farm’s operations is generally deemed to possess control. Similarly, the person or entity with decision-making authority to hire or fire farm management is likely deemed to possess control. A manager who is responsible for a farm’s day-to-day operations does not necessarily possess control.

5.7.2. Common Irrigation and Pumping Installations.

When more than one farm is supplied from a common pumping installation that is served by the REP-participating utility, the pumping load from the common irrigation and pumping installation shall be allocated among the farms using the installation, based on the method that the farms use to allocate the power costs among themselves (*e.g.*, water shares, acreage). The utility will pay the farm REP benefits based on the pro rata pumping load allocated to the farm, subject to the REP Benefits Qualified Irrigation/Pumping Load Cap.

The REP Benefits Qualified Irrigation/Pumping Load Cap shall not exceed 222,000 kWh/month and is calculated by adding the allocated load from the common installation to any other individual or common irrigation and pumping loads attributed to the farm that are served by the same utility or within the same utility service territory, as applicable. Because of the load limitation, it is necessary for the utility to identify farms with common ownership to determine whether the combined farming operation exceeds, in aggregate, the 222,000 kWh/month limitation.

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5.7.3. Direct or Indirect Ownership of Two or More Parcels of Land.

Two or more parcels of farm land under the same direct or indirect ownership and/or control, whether in fee simple or a leasehold interest, located within a utility's service territory, will be treated collectively as a single farm, unless demonstrated otherwise by the owner or lessee to the satisfaction of BPA. In order for two or more parcels to constitute separate farms, the parcels must have unaffiliated ownership and control (direct and indirect), must maintain separate financial statements, accounting records, and tax returns, and must not share any equipment or labor with the other parcel.

5.7.4. Subdividing or Reorganizing Farms.

Subdividing or reorganizing a farm that continues to have the same direct or indirect ownership and/or control will not increase the Irrigation/Pumping Load Cap. For example, changes in ownership by lease, sale, trust, or gift to family members, partnerships, corporations, or similar entities to mask ownership will not increase the Irrigation/Pumping Load Cap. If an existing farm entity acquires a parcel of land which was previously held under an unaffiliated ownership, that parcel will be consolidated with the other parcels held by the acquiring entity for the purposes of the Irrigation/Pumping Cap.

5.7.5. Unused Balance Under Irrigation/Pumping Cap.

Any unused monthly balance of the Irrigation/Pumping Cap may not be reallocated to other farms or to another billing period.

6. REP CERTIFICATIONS

6.1. REP Certifications.

Utilities are encouraged to use questionnaires ("REP Certifications") to determine load eligibility at the customer level specifically for loads measured at 100,000 kWh/year and greater and irrigation/pumping loads measured at 250,000 kWh/year and greater.

Utilities may develop their own questionnaires or use BPA's sample REP Certifications posted on its website. A completed questionnaire, however, is only required in the case where the load on a mixed-use meter exceeds 100,000 kWh/year. (See Section 5.2.3.)

Note that by law and contract, each utility must monitor its irrigation and pumping load accounts to ensure that the 222,000 kWh/month threshold is not exceeded, and utilities must ensure the proper distribution of REP benefits. BPA strongly encourages each utility to complete its due diligence in a continuing review and evaluation of all customer loads receiving REP benefits.

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6.2. Method for Obtaining REP Certifications.

At the election of the utility, REP Certifications may be completed and signed by the account owners or by the utility's staff on behalf of account owners in conjunction with telephone conferences in which the account owner verbally provides the required information, or site visits where the utility's representative is able to make an eligibility determination based on that site. In the REP Certification, the recipient attests to the truth and accuracy of the information submitted on the form, which is then used to make load eligibility determinations. It is the responsibility of the account holder to notify the utility of any change in the status/use of electric service and eligibility for REP benefits.

The REP Certification, and any follow-up review and inquiry, may require providing additional information and/or documentation concerning changes in load, end-use of electricity, farming operations, processing (incidental or commercial), or irrigation, including horsepower ratings.

6.3. Optional REP Certifications for Large Loads with Single Use Meter(s).

Utilities are encouraged, but not required, to obtain REP Certifications from recipients of REP benefits with residential or farm electrical load at or above 100,000 kWh/year (with the exception of mixed-use meters; see Section 5.2.3), and irrigation/pumping load at or above 250,000 kWh/year. In the event BPA confirms an ineligible load during its review and the utility has timely completed its due diligence and obtained an REP Certification, the customer will need to be removed from the REP rate schedule and will no longer receive benefits (until such time as it can show its eligibility), but the utility will not be required to repay the REP benefits to BPA. However, if the utility has not performed its due diligence and obtained a REP Certification, the utility will be required to reimburse BPA for the benefits paid to ineligible loads. It will be at the discretion of the utility whether or not to require its customer to repay ineligible benefits received.

6.4. Mandatory REP Certifications for Large Loads on Mixed-Use Meters.

As described in Section 5.2.3, *Mixed-Use Incidental and/or Irrigation/Pumping, and Commercial Processing Loads on a Single Meter*, if the farming and/or incidental processing and/or irrigation/pumping and the commercial processing share a mixed-use meter, all of the load on that meter will be eligible for REP benefits, provided the total amount of load attributable to the commercial processing does not exceed 50 percent of the total load per calendar year (50% Rule). For farms with more than one mixed-use meter, each meter will be treated independently; that is, the 50% Rule criterion will be applied separately to each meter and not in aggregate for the entire farm.

Account owners of mixed-use meters with loads at or above 100,000 kWh/year will be required to complete an REP Certification form at least once every ten years, or such earlier frequency as may be determined by the utility or BPA. The REP Certifications must be completed and attested to in accordance with Sections 6.1 and 6.2, above. If the

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account owner does not wish to attest to or submit a signed REP Certification, or if a reasonable determination cannot establish what portion of the mixed-use load is commercial, all of the load on the mixed-use meter will be deemed ineligible to receive REP benefits.

7. LOAD DESCRIPTIONS

7.1. Load Descriptions of Ineligible/Eligible Residential and Farm Exchange Loads

The following load descriptions and examples of eligibility status are intended as guidelines only. BPA has the right to review and update load eligibility as appropriate and/or at the request of a utility.

Agricultural research stations are not eligible for REP benefits.

Apartment complexes (including complex swimming pools and recreation centers) are eligible for REP benefits.

Canal companies (see *Common pumping installations*)

Cemeteries are not eligible for REP benefits.

Charity-owned welfare farms are eligible for REP benefits if the farm is operated independently by the farmer-lessee and where the profits and losses rest with the farmer-lessee.

Churches, cathedrals, temples, synagogues, missions, or other religious facilities are not eligible for REP benefits.

Clubs or **similar fraternal associations** are not eligible for REP benefits. However, fraternities and sororities serving as housing for students are eligible for REP benefits.

Commercial enterprises, except farm enterprises, are generally not eligible for REP benefits. However, commercial enterprises metered through a bona fide residence where the commercial activity consumes less than 50 percent of the power and is not separately metered are eligible. All others are ineligible.

Common pumping installations:

- a) Government-owned or for-profit installations, when used for consumption or irrigation/pumping by the government or the for-profit entity, are not eligible for REP benefits.
- b) Government or privately-owned installations may pass through REP benefits when the load is allocated to individual participating farms for

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irrigation/pumping. In most instances, it is appropriate to allocate the amount of load used based on acreage among the participating users of the common pumping installation. REP benefit eligibility is limited to the first 222,000 kWh/month for each participating user/farm, regardless of the number of acres held by each farm.

Culinary water pumping loads:

- a) used for normal household purposes such as cooking, cleaning, water for heating, and lawn and yard watering, are eligible for REP benefits.
- b) used solely by a commercial operation, or an operation run by federal, state, or local government or water utility company are not eligible for REP benefits.
- c) used by two or more residential customers and a commercial enterprise on a common meter are eligible for REP benefits, provided that the commercial enterprise consumes less than 50 percent of the load on the common meter.

Customers located outside of the “Region” (as defined in the NW Power Act) are not eligible for REP benefits.

Dog or cat breeders are not eligible, as dogs and cats are considered domestic animals and not livestock.

Drainage districts: see *Common pumping installations*.

Equestrian facilities:

- a) used to board or train horses for profit or pleasure are not eligible for REP benefits.
- b) if owned and used by the same entity, but not used by the public or for the boarding of other horses, are eligible for REP benefits.

Farm Cooperatives are eligible for REP benefits if they are operated as described in Section 5, Farm Loads.

Farming operations (general use and incidental) are eligible for REP benefits if the farm (whether agricultural or livestock) stores its products at the same location where the products are grown or raised. See Section 5.1 of these Guidelines.

Fire districts are not eligible for REP benefits.

Fish farms (private) that raise crops (*e.g.*, fish, eggs, and smolts) for sale are eligible for REP benefits.

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Fish hatcheries that are government-owned or contracted to restock dams, lakes, and rivers for state, Federal, or local governments are not eligible for REP benefits.

Golf courses are not eligible for REP benefits.

Government agencies are generally not eligible for REP benefits. However, Government agencies such as housing authorities, whether listed under the name of the consumer or under the government agency's housing authority name, are eligible for REP benefits so long as the benefits are passed through to reduce electricity costs of the residents (see *HUD*).

Government-owned land under lease as a residence or farm to a private entity is eligible for REP benefits where the lessee-farmer is financially responsible for the load, receives the REP benefits, and the government has no operating or controlling interest in the farm.

Home owner associations (HOA) with load associated with swimming pools, saunas, laundry facilities, area lighting, clubhouses, etc., are eligible for REP benefits. The business offices of home-owner associations that are separately metered or located outside of the homeowner association property boundaries are not eligible for REP benefits. Street lighting is not eligible for REP benefits.

Horse ranches used to raise horses are eligible for REP benefits.

Hospitals, medical/dental clinics, etc., are not eligible for REP benefits.

Hotels and motels are not eligible for REP benefits.

HUD (Department of Housing and Urban Development) residential housing developments are eligible to receive REP benefits so long as the benefits are passed through to reduce electricity costs of the HUD recipient. HUD offices are not eligible for REP benefits.

Irrigation districts: see *Common pumping installations*.

Marijuana farms or growing operations, unless recognized as legal by the federal government are not eligible for REP benefits regardless of the legalization status of the state in which they are operated.

Municipal corporations are not eligible for REP benefits.

Multiple residential (non-farm) loads on one meter are eligible for REP benefits.

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Native American Tribal Governments:

- a) facilities are eligible for REP benefits under the same considerations as the U.S. Government.
- b) Tribal residential and farm customers are eligible for REP benefits.

Nurseries (horticultural):

- a) are eligible for REP benefits when the primary purpose of the horticultural operation is the growing of plants for sale for wholesale distribution.
- b) retail nurseries where the primary business purpose is to market and sell individual plants to the general public are not eligible for REP benefits.
- c) retail nurseries that propagate and grow the plants they sell are eligible for REP benefits.

Nursing homes are eligible for REP benefits where the average length of stay is 30 days or longer. This includes assisted living, skilled nursing, and rehabilitation facilities located on site that are directly associated with the nursing home.

Parks and recreation areas are not eligible for REP benefits.

Pellet mills:

- a) that grow and process crops into pellets to be used entirely on the farm (all at the same location) are eligible for REP benefits.
- b) that grow and process crops into pellets to sell commercially are not eligible for REP benefits.

Police stations are not eligible for REP benefits.

Property development companies are not eligible for REP benefits.

Pumping districts: see *Common pumping installations*.

Recreational facilities are not eligible for REP benefits except as part of HOA or apartment complex residential loads.

Rehabilitation facilities and centers:

- a) **Alcohol or drug treatment centers** are eligible for REP benefits if the average length of stay is greater than 30 days.
- b) **Medical rehabilitation centers (short stay)** are not eligible for REP benefits where the average length of stay is less than 30 days.
- c) **Medical rehabilitation facilities** are eligible for REP benefits where the average length of stay is 30 days or greater. (See also *Nursing homes*.)

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Reposessed residences and farms that are otherwise considered eligible for REP benefits continue to be eligible for REP benefits during the period of repossession (regardless of the type of repossessing entity—bank, insurance company, corporation, partnership, individual, etc.) as long as the repossession is considered temporary.

Residential homes including residential seasonal dwellings are eligible for REP benefits.

Residential street lighting is not eligible for REP benefits, although a consumer's area lighting is eligible.

RV parks that house motor homes/recreational vehicles used other than as permanent or seasonal residences in fixed locations are not eligible for REP benefits. (See also *Trailer parks*.)

Schools and **school districts** are not eligible for REP benefits.

Street lighting (including residential street lighting for an HOA) is not eligible for REP benefits.

Time shares are not eligible for REP benefits as they are not intended for stays greater than 30 days.

Trailer parks or **mobile home parks** are eligible for REP benefits provided their residents stay longer than 30 days.

Vineyards are eligible to receive REP benefits.

Water districts: see *Common pumping installations* and *Culinary water pumping loads*.

Wildlife refuges are not eligible for REP benefits.

Wineries are not eligible to receive REP benefits where the primary purpose is for the production and tasting of wine.

8. Request for Reconsideration of Determinations

The definitions in Section 7 are for guidance only. A utility or a utility's customer may submit a request to BPA to review a unique situation. BPA will provide additional assistance and/or clarification in response to the request as appropriate. At BPA's discretion, BPA may issue an Eligibility Determination Letter in which BPA may provide additional guidance and instruction regarding the particular customer or situation. Determinations made in an Eligibility

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Determination Letter will be binding on the specific utility or customer addressed in such letter.