

ELECTRIC SERVICE SCHEDULE NO. 4 - Continued

ANNUAL CHARGE: For each Company pole on which the attaching entity has placed an attachment, **\$5.76** per foot of space used by the attaching entity. "Space used" is determined under the provisions of Utah Admin. Code § R746-345-5.A.3.

SCHEDULE OF NON-RECURRING FEES: For each Company pole on which the attaching entity has placed or requests to place an attachment, the following fees may be applied.

1. Per Pole Application Fee: \$55.64 per Pole

This fee is applicable when Licensee's submit application for permission to attach to the Company's poles. This fee covers the expected costs for performing the work necessary to determine what make-ready work must be done to accommodate the application. The fee shall be based on a state specific allocation of costs.

2. Unauthorized Attachment Charge: \$100.00 + Back Rent, per Pole

This fee is applicable when the Company discovers a Licensee attachment on a Company pole where the Company has no record of approving the attachment. Back Rent shall consist of 5 years of rent at the current rental rate unless credible evidence supports a lesser period. The Unauthorized Attachment Fee shall be waived if Licensee presents credible evidence of any of the following: approval by and payment of rent to a putative pole owner; good faith belief of pole ownership; or of attaching in good faith. The Unauthorized Attachment Fee shall also be waived if Licensee presents credible evidence the attachment was in place prior to January 1, 2007.

3. Other Miscellaneous Fees: To be invoiced at the Company's actual cost. This fee is applicable to recover the cost of work necessitated by Licensee requests not otherwise recovered in the Annual Charge or other fee categories, such as actual or estimated charges for make-ready work and labor for emergency restoration work.

TERMS, CONDITIONS, LIABILITIES: The terms, conditions, and liabilities for service under this Schedule shall be those specified in the applicable pole attachment agreement between the Company and the attaching entity. The annual charge rate specified by the agreement shall be in accordance with the rate specified in this Schedule and shall be subject to periodic adjustment in accordance with the applicable agreement and the rules established by the Public Service Commission of Utah and subject to its approval.

ELECTRIC SERVICE REGULATIONS: Service under this Schedule will be in accordance with the terms of the Pole Attachment Agreement or the Standard Agreement between the Company and the attaching entity. The Electric Service Regulations of the Company on file with and approved by the Public Service Commission of Utah, including future applicable amendments, will be considered as forming a part of and incorporated in said Agreement. In case of any conflict between any of the provisions of the Pole Attachment Agreement or Standard Agreement, this Rate

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Schedule, and the Electric Service Regulations, the provisions of this Rate Schedule will take precedence followed by the provisions of the Pole Attachment Agreement or the Standard Agreement, whichever is applicable.

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