3. Over 100 kilowatts—at least once in one year.

(b) The kilowatt rating of a direct current meter is the product of the rated voltage and the rated current.

(c) All types of alternating current watt-hour meters installed upon customers' premises shall be tested as follows:

1. Self-contained polyphase meters and transformer rated meters:

i. Meters without demand register—at least once in 16 years;

ii. Meters with block-interval demand registers—at least once in 12 years;

iii. Meters with lagged demand registers—at least once in eight years.

2. Self-contained single-phase meters and three-wire network meters—at least once in eight years or by a variable interval or statistical sampling technique approved by the Board.

As amended R.1979 d.374, effective September 5, 1979.
See: 11 N.J.R. 402(c), 11 N.J.R. 585(c).
Amended by R.1991 d.583, effective December 2, 1991.
See: 23 N.J.R. 1519(a), 23 N.J.R. 3652(a).
Editorial or stylistic change only.

14:5–3.3 Determination of electric meter accuracy

(a) No meter that has an error in registration of more than plus or minus two percent shall be placed in service or allowed to remain in service without adjustment.

(b) No meter which registers upon "no load" shall be placed in service or allowed to remain in service. To determine that a meter is registering upon "no load", all load wires shall be removed, and if the meter disk then rotates at the rate of one revolution in five minutes or less it shall be considered as registering on "no load".

(c) For periodic testing, the accuracy shall be determined by taking the average of the percentage registration at light load and heavy load. In periodic testing where the average accuracy shows the meter to be in error by more than two percent, the complaint testing method as stated below shall be used to determine the final accuracy of the meter.

(d) As used in this section, light load shall be approximately five to ten percent of rated current and heavy load shall be not less than 60 percent nor more than 150 percent of rated current.

(e) For complaint testing, the accuracy shall be determined by taking the average of the percentage registration at light load and at heavy load, giving the heavy load registration a weight of four.

Case Notes

Utility correctly billed customer for unmetered electrical service over a span of 11 years. Licciardello v. Public Service Electric and Gas, 95 N.J.A.R.2d (BRC) 35.

14:5–3.4 Outdoor meters

All new electric meters installed outdoors shall be compensated for temperature variations.

14:5–3.5 Readjustment of electric meters

Each meter after being tested shall be adjusted to record within a tolerance of plus 0.3 percent and minus one percent at both light and heavy loads. These tolerances are specified to allow for necessary variations and meters must be adjusted to within the allowable tolerances as nearly as practicable to zero error. Meters removed from service are to be tested and adjusted in the meter room before being put in service again. Each electric meter shall be tested for accuracy before installation or within 30 days after being set.

SUBCHAPTER 4. REGULATION FOR RESIDENTIAL ELECTRIC UNDERGROUND EXTENSIONS

14:5–4.1 Applicability

(a) Extension of electric distribution lines necessary to furnish an electric system to new residential subdivisions having three or more building lots, or to new multiple-occupancy buildings, shall be made underground.

(b) Such extensions of service shall be made by the utility in accordance with the provisions in this subchapter.

As amended, R.1973 d.335, effective December 3, 1973.
See: 6 N.J.R. 22(b).
As amended, R.1975 d.243, effective August 14, 1975.
See: 7 N.J.R. 29(a), 7 N.J.R. 437(b).
Amended by R.1997 d.99, effective March 3, 1997.
See: 28 N.J.R. 4080(a), 29 N.J.R. 786(b).
Substituted "subchapter" for "regulation" and deleted reference to date of subchapter applicability.

Case Notes

General powers given to municipalities to regulate and inspect erection, alteration or repair of structures preempted by State with respect to installation and inspection of private home electrical wiring; ordinance mandating copper wiring use invalid as contravening legislative plan for regulation of electrical industry by Public Utilities Commission (citing former N.J.A.C. 14:5–7.5 and 7.9). Warren Park Estates, Inc. v. Twp. Committee, East Windsor Twp., 136 N.J.Super. 180, 345 A.2d 346 (App.Div.1975).

14:5–4.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Applicant" means the subdivider, developer, builder or owner applying for the construction of an electric distribution system in a subdivision.

"Board" means Board of Public Utilities.

"Building" means a permanent structure enclosed within exterior walls or fire walls, built, erected and framed of component structural parts and designed for single-family or duplex-family occupancy.

1. A duplex family building may consist of either a duplex apartment with rooms on two floors and a private interstairway, or a duplex house with two separate family units side by side.

"Cost" means actual expense incurred for materials and labor employed in the installation of an underground residential distribution system, including overheads directly attributable to the field work, but excluding overrides or loading factors, such as for back-up personnel, mapping, records, clerical, superintendence or general office.

"Existing street" means a public street, road or highway, traversing or abutting the applicant's subdivision, that was in existence and utilized prior to the approval and establishment of the subdivision.

"Extension" means an extension of facilities located on streets, highways, and/or rights of way acquired by the utility for common distribution.

"Mobile home" means a dwelling unit constructed for permanent occupancy which is designed for moving along roads and highways by towing with a truck or tractor and which is installed on a permanent foundation.

"Multiple-occupancy building" means a permanent structure enclosed or with exterior walls or fire walls, built, erected and framed of component structural parts and designed to contain three or more individual dwelling units and consisting of not more than four stories.

"New street" means a public street, road or highway, traversing or abutting the applicant's subdivision, that was or will be constructed subsequent to the approval and establishment of the subdivision.

"Subdivision" means the tract of land which is divided into lots as approved by the appropriate authorities for the construction of new residential buildings or the placement of mobile homes, or the land on which new multiple-occupancy buildings are to be erected.

"Utility" means an "electric company" as defined in N.J.S.A. 48:2–13.

As amended, R.1973 d.335, effective December 3, 1973.
See: 6 N.J.R. 22(b).
As amended, R.1975 d.243, effective August 14, 1975.
See: 7 N.J.R. 29(a), 7 N.J.R. 437(b).
Amended by R.1991 d.583, effective December 2, 1991.
See: 23 N.J.R. 1519(a), 23 N.J.R. 3652(a).
Board designated as Board of Regulatory Commissioners pursuant to Reorganization Plan No. 002–1991.
Amended by R.1997 d.99, effective March 3, 1997.
See: 28 N.J.R. 4080(a), 29 N.J.R. 786(b).
Amended definition of "Board".

14:5–4.3 Rights-of-way and easements

(a) Within the applicant's subdivision the utility shall construct, own, operate and maintain underground distribution lines only along public streets, roads and highways which the utility has the legal right to occupy, and on public lands and private property across which rights-of-way and easements satisfactory to the utility both as to location and legal sufficiency are provided without cost to or condemnation by the utility.

(b) Rights-of-way and easements suitable to the utility must be furnished by the applicant in sufficient time to meet service requirements and at no cost to the utility. The rights-of-way or easements so granted must be cleared of trees, tree stumps and other obstructions above or below grade at no charge to the utility to a width sufficient to permit the use of machinery and equipment, and must be graded to within six inches of final grade by the applicant before the utility will commence construction. Such clearance and grading must be maintained by the applicant during construction by the utility.

14:5–4.4 Installation of underground distribution system within subdivision

(a) Upon receipt of a proper application the utility shall, after conditions in N.J.A.C. 14:5–4.3 have been met and after coordination with other utilities, install along new streets and along existing streets not already served by overhead facilities, using suitable materials, an underground electric distribution system reasonably equivalent to a comparable overhead system which will assure that the applicant will receive safe, adequate and proper electric service.

1. "Suitable materials" shall be construed to mean those components of a direct buried residential-type underground distribution system, including but not limited to transformers, which shall be pad mounted unless otherwise directed by the Board, cables, conduits, street lighting poles and fixtures, switch gear and enclosures, which the industry has adopted as standard consistent with the "state of the art" as it applies to the development of such components and also consistent with the service requirements of this rule. Such standards shall be understood to be reasonable standards designed to implement this rule with a minimum increase in the difference in cost between overhead and underground distribution systems.

2. At the request of the applicant, the utility may provide components which exceed such standards, provided that applicant shall bear the full cost of the excess facilities requested.

14:5–5.2 Adoption by reference of rules concerning preservation of records; electric utilities

(a) On September 14, 1972, the then Board of Public Utility Commissioners in the Department of Public Utilities, pursuant to authority of N.J.S.A. 48:2–1 et seq. and in accordance with applicable provisions of the Administrative Procedure Act of 1968, adopted by reference the "Regulations to Govern the Preservation of Records of Electric, Gas and Water Utilities" originally proposed to various states for adoption by the National Association of Regulatory Utility Commissioners as promulgated and published in April, 1972, for use by the electric, gas and water utilities.

(b) The Board of Public Utilities adopts these rules, as well as any modifications or changes that the National Association of Regulatory Utility Commissioners may make thereto, as its modified rules governing the preservation and destruction of records for all classes of electric, gas and water utilities subject to its jurisdiction and as a supplement to its uniform system of accounts for all classes of electric, gas and water utilities.

(c) Copies of the full text of these rules are available for examination in the Board's offices in Two Gateway Center, Newark, New Jersey 07102 and are included in the case files in these dockets. Additional copies may be purchased from the National Association of Regulatory Utility Commissioners, P.O. Box 684, Washington, D.C. 20044.

R.1972 d.181, effective September 18, 1972.
See: 4 N.J.R. 241(b).
Public Notice: Change of address.
See: 19 N.J.R. 890(a).
Amended by R.1991 d.583, effective December 2, 1991.
See: 23 N.J.R. 1519(a), 23 N.J.R. 3652(a).
Editorial or stylistic change only.
Amended by R.1997 d.99, effective March 3, 1997.
See: 28 N.J.R. 4080(a), 29 N.J.R. 786(b).
Changed name of Board and added reference to modifications to the rules.

SUBCHAPTER 6. ELECTRIC TRANSMISSION LINES

14:5–6.1 Requirements for electric transmission lines

(a) Whenever an electric company constructs an overhead transmission line, it shall:

1. Make use of available railroad or other rights-of-way whenever practicable, feasible and with safety, subject to agreement with the owners;

2. Locate towers whenever practicable and feasible in accordance with the topography so as to minimize their appearance;

3. Establish a program of painting towers initially and periodically in order to camouflage their appearance as much as possible;

4. Employ nonuniform clearing of the right-of-way and, wherever possible, in accordance with sound construction and maintenance practice as well as clearance requirements, allow a maximum number of mature trees to remain;

5. Landscape the right-of-way by planting low-growing shrubs where the right-of-way is visible from heavily travelled roads;

6. Wherever practical and feasible, consistent with municipal zoning laws, permit use of the right-of-way for farming, recreational and other appropriate purposes. If it is proposed by electric company that such use is not practical and feasible, the electric company shall send written notice, including its reasons, to the Board for final determination;

7. When the application of the foregoing provision shall be unreasonable in a specific instance, petition for relief from the specific provision may be filed by any aggrieved person.

R.1972 d.236, effective November 28, 1972.
See: 4 N.J.R. 224(b), 5 N.J.R. 19(a).

Case Notes

Action to enjoin tree removal on easement by utility within jurisdiction of Board of Public Utilities for Resolution as a contested case. Boss v. Rockland Electric Co., 95 N.J. 33, 468 A.2d 1055 (1983).

Electric utility did not improperly trim blue spruce tree on property owners' land. Orlandi v. Jersey Central Power and Light Co., 93 N.J.A.R.2d (BRC) 134.