



Policy 163: Service Interruption Liability

Board Approved: September 26, 2023

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Board President

Purpose: To define service interruption liability.

Provisions:

- 1) McKenzie Electric Cooperative, Inc. (MEC) shall use reasonable diligence to provide a constant, quality and uninterrupted supply of electric power, but if such supply fails, MEC shall not be liable for damages. Causes of supply failure may include but are not limited to the following:
 - a) Interruptions or reductions due to operations of devices installed for power system protection.
 - b) Interruptions or reductions due to acts of God, action of the elements, public enemy, accidents, strikes, or labor trouble.
 - c) Temporary interruption or reductions, which in the opinion of MEC, are necessary and desirable for the purpose of maintenance, operations, repairs, replacements, installation of infrastructure, investigation, and inspection; or for any other cause beyond the reasonable control of MEC.
- 2) McKenzie Electric may be subjected to load shedding. When load shedding occurs, the supply of electric power is interrupted, but will be restored as soon as practical.
- 3) If a Member believes damages have resulted from MEC service, a claim must be submitted within 60 days to MEC. MEC may investigate claims of damage. Failure to submit the claim within 60 days shall result in the denial of the claim by MEC. Without regard to any applicable statutes of limitations or repose, no suit may be brought against MEC for damages that result to a Member or a Member's agents, heirs, or assigns from MEC service unless a timely claim has been submitted under this policy and no suit may be brought more than one year after the claimant knows or reasonably should know of such damages.
- 4) MEC encourages all members to have standby power at their disposal to prevent damages and inconvenience in the event of a power outage. MEC also recommends all members have adequate protection from variations in the supply of electric power.