

UNAUTHORIZED TAMPERING WITH COOPERATIVE EQUIPMENT _____ VII-C-6

I. OBJECTIVE:

To state the process for handling the unauthorized tampering with cooperative property by member/customer.

II. POLICY CONTENT:

1. Liability for Actual Damages: A person, whose negligence results in damages to Cooperative property, shall be civilly liable to the Cooperative in a sum equal to the amount of the actual damages sustained. The damages covered by these provisions include, but are not limited to, the following:
 - a. Damages property or materials belonging to the Cooperative.
 - b. Interferes with the use of a Cooperative line, or obstructs or postpones the distribution of service over a Cooperative line;
 - c. Procures or advises a third party to do damage to any Cooperative line.
 - d. Interferes with or alters a meter or other device for the measuring of service from the Cooperative, or
 - e. Without the permission of the Cooperative takes service from Cooperative or taps a wire or line used for the distribution of service or procures or advises this to be done.
2. Liability for Punitive Damages: A person who intentionally or through gross negligence inflicts damage upon the property of the Cooperative shall, in addition to liability for actual damages, be liable for punitive damages.

Liability for Treble Damages: A person, who receives utility services for his own benefit or that of another by means of: by-passing the meter; tampering with the meter; or, by any other means which preclude the utility services provided from being metered, shall be liable to the Cooperative for a sum up to three times the reasonable value of the services provided plus up to three times the costs of: reasonable attorney's fees; expert witness fees; and, other costs that may be incurred by the Cooperative in bringing a civil action.

III. RESPONSIBILITY:

The General Manager/CEO shall be responsible for the administration of this policy.


IV. REVIEW DATE:

This policy should be reviewed at the first Board of Trustees meeting two years after the last revision or review.

V. APPROVED:



President - Beartooth Electric Cooperative



Secretary - Beartooth Electric Cooperative

Approved: August 13, 2004

Amended: June 24, 2011 (made consistent with Rules & Regs)

Reviewed: June 24, 2011