

*Tuolumne Public Power Agency*  
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**RULES & REGULATIONS**  
**for**  
**TUOLUMNE PUBLIC POWER AGENCY MEMBERS**

**January 2017**

Last edited on 11/23/2016  
First approved by TPPA Board of Directors on November 6, 2012;  
Revisions approved on: Aug 19, 2014; Nov 4, 2014; and Jan 3, 2017

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## **I. Introduction**

These *Rules and Regulations* have been prepared so TPPA and its member agencies comply with the provisions of the TPPA Joint Powers Agreement (JPA) and so TPPA can comply with contractual requirements that are contained within (1) the Western Area Power Administration (WAPA) Electric Service Contract and related agreements, and (2) the agreement relating to service to Tuolumne Public Power Agency under the WAPA-Pacific Gas and Electric (PG&E) Company Wholesale Distribution Tariff Service Agreement.

## **II. TPPA Representatives**

Each TPPA member agency shall appoint a representative to TPPA. The representative will receive correspondence from TPPA such as meeting agendas, budget memos, rate information, newsletters and other information. It is the responsibility of the representative to report this information to its member agency staff and/or Board of Directors, as applicable.

Each member agency shall provide TPPA the name, mailing address, telephone, fax, and email address of its representative. The member agency shall advise TPPA of any changes made to its representative and contact information.

## **III. Eligible Electrical Accounts**

New electrical accounts served by TPPA are accounts that comply with the following criteria:

1. The electrical load is located within Tuolumne County and serves the account in Tuolumne County
2. The electrical load is wholly owned, operated and maintained by a public preference agency as defined in the JPA
3. There is regular or seasonal use of power
4. The electrical account has a created monthly demand of 5 kW or greater or uses 20,000 kWh or more per year

## IV. Definitions: Tier I & Tier 2

The TPPA Amended and Restated Joint Powers Authority agreement, filed with the California Secretary of State on February 6, 2013 supersedes the original agreement, filed in 1983. It now includes agency membership as defined not only by Government Code 6500, but also includes preference agency membership as defined in Section 9(c) of the Reclamation Act of 1939.

Therefore, TPPA has broadened eligible membership to not only include local public agencies such as the county, City of Sonora, all public schools, special districts and other local JPAs, but also federal, state, tribal and other political subdivisions, as long as the eligible agency has a physical presence within the geographical boundaries of Tuolumne County and its presence is considered a benefit to the County of Tuolumne.

### **Tier 1 Members:**

TPPA Tier 1 members are defined as local public agencies which are wholly located within the geographical boundaries of Tuolumne County: City of Sonora, County of Tuolumne, public schools, special districts and JPAs.

By policy and the Amended JPA, Tier 1 members maintain first priority for their consumption needs and are entitled to rate stabilization funds, **when available**, and when granted by the TPPA Board of Directors.

### **Tier 2 Members:**

TPPA Tier 2 members are defined as other public agencies or preference customers that have a presence within the geographical boundaries of Tuolumne County and which benefit the county by their presence. Tier 2 members include a federal department or agency, federally recognized tribes and/or state agencies which are located within Tuolumne County.

Tier 2 membership requires separate recordkeeping and billing and may bear other administrative costs. The TPPA Board of Directors is responsible to establish the power rate for Tier 2 members when the TPPA budget is reviewed and approved, annually, in June. In order to pay for all associated Tier 2 costs, the Tier 2 member rate shall be set 3 cents higher than the actual cost (as opposed to a subsidized rate) for Tier 1 members for that same year. At some point in the future, if it appears that Tier 2 consumption could exceed the New Melones annual power allocation within a fiscal year, the TPPA Board of Directors will revisit the cost of providing service in order to establish a new Tier 2 rate. In this unlikely event, notice shall be delivered to all Tier 2 members at least 9 months in advance.

In the event that Tier 2 revenue collected in any given fiscal year exceeds the cost of providing electrical service to Tier 2 members, the remaining revenue shall be allocated as follows:

- 50% shall be deposited in the TPPA restricted rate stabilization fund (4470-305150-100370), to be utilized only with Board authorization.

- 50% shall be rebated to Tier 1 members by percentage of annual consumption, on an annual basis, after the closeout of each fiscal year (August).

Prospective Tier 2 members with hotel facilities may be eligible for an incentivized rate of 1 cent per kWh discount on their Tier 2 membership. The requirement for the discount would be a separate executed contract outlining an arrangement to contribute 10% of gross lodging receipts for public purposes negotiated and in place at the time of approval by all parties (TPPA Board, Western Area Power Administration and PG&E) that would run concurrent with the incentivized Tier 2 rate.

## V. Adding New Electrical Accounts

**New Members:** To become an authorized Tier 1 or Tier 2 TPPA member agency, which is a public agency as defined in the Preamble to the 2013 Amended and Restated Joint Powers Agreement, (JPA), the applicant must meet the membership criteria and pass the approval process as outlined in Section III of this same JPA. A *TPPA New Member Application* and a *New Member Governing Board Resolution* template are included in Section X: Forms.

**Existing Members:** A completed *TPPA Member Application to Add Electrical Service* form must be submitted to TPPA at least four months prior to transferring an existing PG&E account to TPPA power service. All new connections are subject to WAPA and PG&E approval.

**New Construction:** A completed *TPPA Member Application to Add Electrical Service* form must be submitted to TPPA at least 12 months prior to adding new accounts that involve a planned construction or extensive remodel which either adds substantial load to an existing account or creates a new electrical account. Decisions will need to be made whether the new account will be accepted at a Secondary Service rate level (as most TPPA accounts are) or at a Primary Plus level. If significant electrical improvement costs are borne by the builder-TPPA member, and the proposed building electrical consumption is expected to be high, it may benefit this new construction member to apply for the Primary Plus Service rate. This must be decided at the same time PG&E approves the application for this new account.

**Upgrades:** A completed *TPPA Member Application to Add Electrical Service* form must be submitted to TPPA at least four months prior to upgrading an existing load (meter). It is essential to involve TPPA up front in contracting with PG&E on your agency's behalf! If a new meter is deemed necessary, it will be considered a new account according to PG&E, and the member may want to explore the differences in benefits between Secondary Service and Primary Plus Service, as noted in the New Construction section immediately above. See also: Section VIII. Electrical Construction.

**Relocation:** Member agencies looking to relocate to another place of business within Tuolumne County are advised to notify the Agency at least four months prior to their

move, using the *TPPA Member Application to Add Electrical Service* form so as not to incur PG&E charges or lose TPPA status for that account.

TPPA will respond in writing within 30 days of receipt of each new application.

## **VI. Solar Installations - Member Responsibilities**

As solar power equipment becomes more affordable, and energy efficiency is sought as a way to reduce overall consumption for new and/or existing buildings, there may be requests to install photovoltaic (PV) equipment on or near member buildings.

**In most cases**, the rates TPPA members enjoy are far lower than the cost of PV installations, and will remain so for the immediate future. However, if TPPA members have interest in adding a PV installation to their facility, there are some policies and requirements that members should be aware of before proceeding.

### Requirements and Notes:

- 1) Members must go through TPPA to apply for a special permit with PG&E called the “*Generating Facility Interconnection Application for Non-Export or Certain Net Energy Metered Generation Facilities*” to install and run a PV system – even if there may not be any electricity that goes back into the grid. This can be a lengthy approval process with PG&E.
- 2) PG&E must approve this application and the member agency will have several inspections to pass. The member agency will be required to produce professional electrical drawings/schematics for the project; must provide a certified electrical inspection by a qualified third party at their own expense, as well as provide for the actual PV installation itself; and must be able to pass a final installation inspection to PG&E’s satisfaction, that includes safety features.
- 3) Under this PG&E application, members must understand and agree that any net energy produced by the PV installation which flows into the grid is not credited by either PG&E nor TPPA.
- 4) TPPA requires that members with PV installations maintain them at their own expense. Neither PG&E nor TPPA will provide maintenance work for them.
- 5) TPPA members are asked to provide annual energy efficiency savings (in terms of kWh) at the end of each fiscal year, but no later than July 30<sup>th</sup> of each year for the number of kWhs saved through the utilization of their PV system.
- 6) Important to note: For these PV installations, when the power goes down, so does the PV generation. This is a safety feature that insures PG&E linemen responding to outages do not become electrocuted when working to restore power.
- 7) Also: If a TPPA member installs a PV system and the annual consumption for that meter dips below 20,000 kWh per year, this could put that particular account into jeopardy of losing TPPA affiliation. As a consequence, that account may need to revert to PG&E.

## VII. Charging Stations Utilizing TPPA Energy

### Installing Charging Stations Utilizing TPPA Energy

1. If no separate meter is necessary to provide the power for Level 1\*, Level 2\*\* or Level 3\*\*\* charging, and no special attachments are needed, such as a credit card swipe to pay for charging vehicles, TPPA is to be notified of your agency's intentions to add a Level 1 or Level 2 or Level 3 charging station 2 months in advance.  
Examples include: fleet charging of EVs using common household electrical outlets tied to an existing meter or implementing a dual charging station fed by an existing meter that does not require the use of a charge card to operate.
2. Charging stations that require installation of a new meter may not meet minimum load to be considered as a TPPA account. Reminder: The minimum requirement for new accounts (meters) is 20,000 kWh or more per year or 5 kW of connected load.
3. All charging station's maintenance is the responsibility of the member agency that installed the equipment.
4. TPPA members that install EV charging stations can list their charging station(s) on EV maps and/or networks noting where their charging stations are, if it is installed for public use, and is not part of an outsourced contracted service.
5. TPPA power cannot be sold to 3<sup>rd</sup> parties.
6. EV charging stations that operate without charging a fee to the consumer need no further approval from TPPA.
7. "Credit card swipe" EV charging stations will be considered on a case-by-case basis until such time as TPPA has developed a written standardized policy on this type of installation. Any sale of TPPA power to a 3<sup>rd</sup> party at an EV charging station shall be priced at the lowest possible cost consistent with sound business principles, and such price shall be subject to approval by the TPPA Board.

### Charging Stations, Defined:

\*Level 1: Most EVs when at home or when located at a place of business, use a common US household 110 outlet for Level 1 charging, also known as a "trickle charge". No specialized equipment is needed for this type of charge other than an electrical outlet and the charging cord that came with the vehicle at the time of purchase. Most EVs using Level 1 charging usually reach full charge by plugging in overnight.

\*\*Level 2: This is the most common type of charging station currently being installed outside of the home or office and uses about the same amount of voltage as a home dryer outlet. Stations using Level 2 charging most commonly have a J1772 connector and work for any type of EV except a Tesla. They provide anywhere from 3-6 times the charging rate of a Level 1 station, depending on the EV's type of on-board charger. This means that most EVs can be fully charged in about 6 hours or less at a Level 2 charging station.

\*\*\*Level 3: Also known as a "quick charge. Or "DC Fast Chargers"" Not all EVs are set up for quick charging. The ones that are receive more power in a much shorter period of time. Different fast charging EVs take varying times to fully recharge, depending on their capacity. The closer the battery is to empty, the electricity can flow at a faster pace. As the battery gets recharged, the rate slows (around 50% charge). Typical number of miles produced in a 30 minute Level 3 charging session is somewhere between 75-100 miles.

## VIII. Deleting Existing Electrical Loads

**For withdrawals:** A completed *Application to Withdraw from TPPA Electrical Service* form must be submitted to TPPA at least one month prior to termination of any electrical account (meter).

## IX. Electrical Installations

TPPA (the Agency) represents all members wishing to add new load (a new meter) to their place of business when studies, construction or a contract with PG&E (or another third party) is necessary. It is each member's responsibility to enlist TPPA as their representative, well in advance, before any contract is signed for installation of electrical equipment with PG&E. TPPA represents its members to ensure newly installed meters are affiliated with TPPA and not charged PG&E rates.

TPPA will request from PG&E (or a third party as applicable) a cost estimate for electrical improvements, and TPPA staff will sign and pay for any contract with PG&E on behalf of the member agency. **At the time of** TPPA's payment to PG&E, the member agency will reimburse the Agency in full for these costs.

Consequences of a member agency not including TPPA in this contractual process with PG&E will result in forfeiture of TPPA service and rates to the newly constructed electrical point of delivery. By default, PG&E becomes the utility serving this load.

## X. Billing Procedures

TPPA administrative staff will bill member agencies once a month for power used. Payment from member agencies to TPPA is to be **received by TPPA** within 20 business days **of the invoice date** so TPPA is able to meet its financial obligations to WAPA, the California Independent System Operator (ISO) and PG&E. **If a turnaround of payment within 20 days produces a hardship for any TPPA member, they are encouraged to call TPPA Administration to make special arrangements. At no time should payments to TPPA exceed 30 days from the invoice date.** Payments that are **received** later than 30 business days from the billing date will incur a 10 percent penalty. Member agency power bill payments are to be addressed and mailed to: TPPA, 2 South Green Street, Sonora, CA 95370. Postmarks will not be accepted as the date of payment.

**Penalty:** If an unpaid balance occurs after the 30 day payment period, the unpaid balance will be subjected to a 10 percent penalty compounded monthly and reflected in the next invoice. **The penalty must be paid and received by TPPA within 20 days of the new invoice date.**

**Billing Dispute:** When there is a question about a TPPA bill, the member agency representative shall contact TPPA's Deputy Director immediately to resolve the issue. If the billing dispute cannot be resolved by this means, then the member agency shall



make payment to TPPA as billed but under protest. The dispute shall then be resolved by the TPPA Board of Directors or as provided for in Section IX, Resolution of Disputes of the TPPA Joint Powers Agreement.

**Failure to Pay:** The failure of a member agency to adhere to the billing procedures or failure to make payment may result in that member being expelled from TPPA.

**Cost of Ownership Fees:** When Pacific Gas and Electric (PG&E) implements a “cost of ownership fee” for maintenance costs assigned to any newly placed or acquired meter/account, such as a Primary+ account, the member agency has the choice to:

1. Pay the one-time fee assessed by PG&E for the Primary+ option (versus Secondary Service), to initiate service.
2. Reconsider by making the new account a Secondary Service account which does not incur a cost of ownership fee.
3. Forfeit enrolling the meter/account in question into TPPA.

## XI. Reserve and Loan Funds

Membership dues are submitted by each new member agency to be used for costs associated with setting up new accounts. Membership funds in excess of costs, monthly collected AB 1890 funds, and any additional fiscal year-end surplus is deposited into TPPA reserve funds which may be allocated for capital expenses, the Energy Conservation Program, an active Rate Stabilization Fund, revolving loans and/or the general reserve account.

**Membership Dues:** New members joining TPPA shall pay a one-time membership fee in the amount of \$0.009 per kWh of their estimated (if new construction) or actual annual energy use.

**Reserve Fund:** Contractual commitments with WAPA and PG&E require TPPA to make payment within 30 days of the first of the month. Payments from member agencies to TPPA are due 20 business days, but not later than 30 business days from the billing. A reserve fund has been established in order for TPPA to maintain a positive cash flow. TPPA's reserve fund has also been used to support a Rate Stabilization Fund which was used in the past to minimize potential rate increases associated with power, transmission and distribution costs, when authorized for use by the TPPA Board of Directors for Tier 1 members.

**Energy Conservation Fund:** A requirement of TPPA's Power Service Agreement with WAPA and AB 1890 is to have an on-going energy conservation program. As part of TPPA's program, low-interest loans, audits and grants are available to member agencies to undertake energy conservation activities. 2.5 percent of the rate member agencies pay is deposited into an AB 1890 reserve fund, which is specifically targeted for energy

conservation activities. Please see the Energy Conservation Program packet for a complete description including application forms.

## **XII. Budgeting Policy**

Typically, the new fiscal year's budget is drafted beginning in April, brought to TPPA members in May, and then taken to the TPPA Board in June for consideration and approval. The electrical rate is then set for the next fiscal year which begins July 1 and runs through June 30 of the following year.

Some of TPPA's biggest expenses (for power) are from Western Area Power Administration and the California Independent System Operator, which run on a federal fiscal year (October 1 through September 30 of the next year). This can be problematic for calculating TPPA's budget so early in the year, as the early forecasts from these power organizations can change after the TPPA budget has been set.

**Contingency:** When there is no dedicated Rate Stabilization fund, the annual TPPA budget will include a \$100,000 contingency line item under expenses to cover for any unanticipated expenses, which, among other things, could include an unforeseen rate increase passed on to TPPA. If contingency funds are needed in any given fiscal year, they will be released to cover expenses only after a 4/5 or unanimous vote by the TPPA Board. If the contingency funds are not needed, or only partially needed, the remaining amount of unused contingency will flow through to the next year's budget.

**Establishing an "absolute floor" for the unrestricted fund balance:** When there is no Rate Stabilization Fund, one budgeting safeguard is to insert a contingency line item to pay for unforeseen expenses within the fiscal year. The other safeguard is to establish an absolute floor from which unrestricted funds cannot dip below. This can be accomplished by determining what amount of funds are needed for a three month period to pay for all expenses and then add at least \$50,000 more for a buffer.

Therefore, in any given year, a calculation is to occur at budgeting time to establish how much is needed to pay for 3 months' worth of TPPA expenses plus an additional \$50,000 to create an absolute floor, a budgeting safeguard which cannot be crossed.

Example: Let's say the monthly expenses for TPPA in a new fiscal year are \$250,000 a month.  $\$250,000 \times 3 = \$750,000$ .  $\$750,000 + \$50,000 = \$800,000$ . Therefore, \$800,000 would become the absolute floor for the unrestricted fund balance. Every new fiscal year budget will include advice to the Board as to the absolute floor for the unrestricted fund balance.

## **XIII. Maintenance of Equipment and Disruption of Power Service**

PG&E is responsible for maintaining distribution points of delivery. Contact your local PG&E office if there is a problem with malfunctioning equipment or a disruption of power service.

## XIV. Meter Reading

TPPA is currently responsible for the monthly reading of all eligible accounts. PG&E performs periodic readings in order to verify TPPA readings.

Member agencies are responsible for maintaining reasonable access to their electrical meters. This would include safe access by motor vehicle, workable doors and locks, and access to meter locations free of vegetation, snow when reasonably possible, storage items, etc.

Member agencies are also responsible to advise TPPA in advance of lock changes and are to provide TPPA new keys, prior to month-end route meter reading. *Additionally: It is a requirement of TPPA members to provide keys to TPPA management when requested and is a condition of TPPA membership.*

If it becomes economically feasible to do so, TPPA reserves the right to contract in the future with PG&E to obtain monthly meter reading data remotely or by assigned route. In this situation, outlying member meters not attached to PG&E's remote reading process, may become the responsibility of member agencies to read on a monthly basis.

## **XV. Forms**

- 1. TPPA New Member Application**
- 2. New Member Governing Board Resolution (template)**
- 3. TPPA Member Application to Add Electrical Service**
- 4. Application to Withdraw from TPPA Electrical Service**

# TPPA New Member Application

(Side One)

**Instructions:**

1. Please complete all parts of this application.
2. Make your check for membership dues payable to the Tuolumne Public Power Agency.
3. Attach to this completed application:
  - Your agency Governing Board’s fully executed and signed Resolution
  - Your one-time dues payment

**General Information:**

Agency Name: \_\_\_\_\_ Date: \_\_\_\_\_

Billing Office Mailing Address: \_\_\_\_\_

Contact Person (Name): \_\_\_\_\_ Title: \_\_\_\_\_

Agency Phone: (\_\_\_\_) \_\_\_\_\_ Alt Contact Phone: (\_\_\_\_) \_\_\_\_\_

Email address (for TPPA info): \_\_\_\_\_

**Member Agency Representative**

Name of person you appoint to serve as your TPPA representative: \_\_\_\_\_

Representative’s email address: \_\_\_\_\_

Representative’s Phone: (\_\_\_\_) \_\_\_\_\_

# TPPA New Member Application

(Side Two)

## Electrical Account Information

Eligible accounts for TPPA power service must use at least 20,000 kWh per year per meter or have a connected load of 5 kW or greater per meter.

→If there are more account locations or meters than 3, please copy this page and add other accounts.

Account Information	Location 1	Location 2	Location 3
Account Description			
Service Address			
PG&E Meter #			
PG&E Account #			
Annual kWh Use			
Connected Load kW			
Delivery Voltage			

## Membership Dues Calculation

Total the number of annual kWhs from the electrical account information section for all accounts and enter the number below:

Total annual kWhs:  X \$.009 = One Time Dues of \$ \_\_\_\_\_

## Certification

I hereby certify the information in this application is true and correct.

\_\_\_\_\_  
Signature Date

Title: \_\_\_\_\_

**Governing Board for (Name of Organization)**

**State of California**

**Resolution Approving Membership in the Tuolumne Public Power Agency (TPPA)  
and  
Authorizing the Chair to Sign the TPPA Joint Powers Agreement**

**WHEREAS**, the Tuolumne Public Power Agency (TPPA) provides electrical energy to its member agencies at attractive rates;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Board of \_\_\_\_\_, that this agency hereby accepts the terms and conditions of the attached TPPA Joint Powers Agreement; and

**LET IT FURTHER BE RESOLVED** that the Chair is authorized to sign the Joint Powers Agreement and is authorized to make payment of dues, thereby making this agency a member of TPPA upon acceptance by the TPPA Board of Directors.

**ON A MOTION** by Chair \_\_\_\_\_, seconded by Governing Board Member \_\_\_\_\_, the foregoing Resolution was duly passed and adopted by the Governing Board of (Organization Name) \_\_\_\_\_, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Chair (Print Name), \_\_\_\_\_ of the Governing Board

\_\_\_\_\_  
Attest

# TPPA Member Application to Add Electrical Service

Account Description: \_\_\_\_\_

Account Location: \_\_\_\_\_

## If an Existing PG&E Account

PG&E Account Number: \_\_\_\_\_

PG&E Meter Number: \_\_\_\_\_

Annual Kilowatt Hour (kWh) Usage: \_\_\_\_\_

Monthly Peak Demand (kW): \_\_\_\_\_

New Account    or     Upgrade

Date Service Desired: \_\_\_\_\_

PROJECTED Annual Kilowatt Hours (kWh) Usage: \_\_\_\_\_

Monthly Peak Demand (kW): \_\_\_\_\_

Voltage Requirements: \_\_\_\_\_

## Other Information

Name of Member Agency: \_\_\_\_\_

Contact Person and Phone #: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

The minimum requirement for new accounts is 20,000 kWh or more per year or 5 kW of connected load.  
At least 4 months advance written notice must be given to TPPA prior to date of desired service for existing accounts  
and 12 months for new construction.



# Application to Withdraw from TPPA Electrical Service

Member Agency: \_\_\_\_\_

Contact Person & Phone #: \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

Account Location: \_\_\_\_\_ TPPA Account #: \_\_\_\_\_

Meter #: \_\_\_\_\_

## Withdrawal Request

1) Terminate Electrical Service as of (Date):  \_\_\_\_\_

Reason for withdrawal from TPPA Service: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

Last edited on 10/14/2014  
First approved by TPPA Board of Directors on November 6, 2012;  
Revisions approved on: Aug 19, 2014; Nov 4, 2014