

ARTICLE I MEMBERSHIP

SECTION 1. Requirements for Membership

- A. Any person, firm, association, corporation, business trust, partnership, federal agency, state or political subdivision or agency of a state or political subdivision or other legal entity (hereinafter Person/Entity), shall become a Member (hereinafter Member or Members) of Beartooth Electric Cooperative, Inc., (hereinafter Cooperative), provided that:
 - 1. The Person/Entity has completed, signed, and provided all information required by the Cooperative's Application for Electric Energy Service;
 - 2. The Person/Entity has delivered such application to the Cooperative; and
 - 3. The Person/Entity has received electric energy service or access to service from the Cooperative.
- B. No Member may hold more than one membership in the Cooperative, and no membership in the Cooperative shall be transferable, except as provided in these Bylaws.
- C. An Application for Electric Energy Service may be rejected if it is determined that the Person/Entity is unwilling or unable to meet the terms and conditions for service contained in the Application for Electric Energy Service. Any Person/Entity whose application is rejected shall be notified of the rejection and the reasons for rejection within thirty (30) days after the determination is made to reject the application. If the notice of rejection is not mailed within thirty (30) days, the applicant shall be accepted for service and membership.
- D. Membership shall be recorded in the records of the Cooperative, and the current recorded membership list shall be present at all membership meetings.
- E. Notwithstanding the provisions of Article I, Section 1, Part A, any Person/Entity who is paying for and receiving electric energy service from the Cooperative as of September 23, 2012, shall be deemed a Member, and, if such Person/Entity has not been recognized as a Member in the records of the Cooperative, such Person/Entity shall be added as a Member in the records of the Cooperative.

SECTION 2. Joint Membership

Any two persons of those receiving electric energy service from the Cooperative at the same location may apply for a joint membership and, subject to their compliance with the requirements set forth in Section 1 of this Article, may be accepted for such membership. The term Member as used in these Bylaws shall be deemed to include two persons holding a joint membership and any provisions relating to the rights and liabilities of membership shall apply equally with respect to the holders of a joint membership. Without limiting the generality of the foregoing, the effect of actions by or in respect to the holders of a joint membership shall be as follows:

- A. The presence at a meeting of either or both shall be regarded as the presence of one Member and shall constitute a joint waiver of notice of the meeting.
- B. The vote of either separately or both jointly shall constitute one joint vote.
- C. A waiver of notice signed by either or both shall constitute a joint waiver.
- D. Notice to either shall constitute notice to both.
- E. Expulsion of either shall terminate the joint membership.
- F. Withdrawal of either shall terminate the joint membership.
- G. Either but not both may be elected or appointed as an officer or Board Trustee, provided that both meet the qualifications for such office.

SECTION 3. Conversion of Membership

- A. A membership may be converted to a joint membership upon the written request of the holder thereof and the agreement by such holder and another party receiving electric energy services from the Cooperative at the same location to comply with the Articles of Incorporation and Bylaws of the Cooperative; with such rules, regulations, policies, procedures, and tariffs as are adopted by the Board of Trustees and provided to Members; and with the terms stated in the Application for Electric Energy Service.
- B. Upon the death of either person who is a party to the joint membership, or action taken in accordance with Article I, Section 2, Parts E or F, such membership shall be converted to an individual membership for the remaining named Member. However, the estate of the deceased shall not be released from any debts due the Cooperative.

SECTION 4. Purchase of Electric Energy

- A. Each Member shall, as soon as electric energy service shall be available, purchase from the Cooperative all electric energy used on the premises specified in the Application for Electric Energy Service, except in such cases as a Member may have interconnected his/her own generation resource with the Cooperative, and shall pay therefore at rates which shall be fixed by the Board. Amounts paid for electric energy in excess of the cost of service are furnished by Members who shall be credited with the capital so furnished as provided in these Bylaws. Each Member shall pay to the Cooperative such minimum amount regardless of the amount of electric energy consumed, as shall be fixed by the Board. Each Member shall also pay all amounts owed to the Cooperative as and when the same shall become due and payable.
- B. The Cooperative shall use its best efforts to furnish adequate and dependable electric energy service, although it cannot, and therefore does not, guarantee a continuous and uninterrupted supply of electricity.

SECTION 5. Termination of Membership

- A. Any Person/Entity may decline to become a Member by filing a written declaration of membership.
- B. The Board may, by resolution and affirmative vote of not fewer than two-thirds (2/3) of all the Members of the Board, expel any Member who refuses or fails to comply with any of the provisions of the Articles of Incorporation, Bylaws, rules, regulations, or policies adopted by the Board, but only if such Member shall have been given written notice by the Cooperative that such refusal or failure makes him/her liable to termination of electric energy service and such refusal or failure shall have continued for at least ten (10) days after such notice was given. Any expelled Member may be reinstated by vote of the Board or by vote of the Members at any Annual or Special Meeting. The membership of a Member who, for a period of six (6) months after service is available to him/her, has not made payment of amount due and payable to the Cooperative, or of a Member who has either terminated electric energy service or has had his/her electric energy service terminated from the Cooperative, may be cancelled by resolution of the Board.
- C. The membership shall cease when the Member no longer receives access to or electric energy service from the Cooperative.