**Section 305.40 Application**

a) New Installation and Extensions

These rules shall apply to all new installations and extensions, except that they may be waived or modified by the Illinois Commerce Commission. Instances of waiver or modification would include, but not be limited to, space limitations, temporary construction, or changes in technology. When the Commission waives or modifies these rules, it shall approve equivalent safety measures, including special working methods.

b) Existing Installations

1) Existing installations including maintenance replacements which comply with the Commission's rules which were in effect at the time of original installation need not be modified to comply with this Part except as may be required for safety reasons as directed by the Commission.

2) Where an existing installation meets, or is altered to meet, the requirements of this Part, such installation is considered to be in compliance with this Part and is not required to comply with any previously adopted rules of the Commission that have been superseded by this Part.

3) Where conductors or equipment are added, altered, or replaced on an existing structure, the structure or the facilities on the structure need not be modified or replaced if the resulting installation will be in compliance with:

A) The rules which were in effect at the time of the original installation.;

B) The rules in effect at the time of a previous modification; or

C) The rules currently in effect.

c) Effective Date. This Part shall apply to new installations and extensions where design was started and approval given by the company after October 1, 1984.

(Source: Amended at 17 Ill. Reg. 22043, effective December 15, 1993)