

RULES AND REGULATIONS

Note: The formatting of the original tariff accepted by the PUC on March 14th, 2001 has been modified for printing purposes. Copies of the original tariff, Docket # 2000-908 are available upon request.

WATER UTILITIES

The following rules and regulations made by the AUGUSTA WATER DISTRICT and filed with the Maine Public Utilities Commission, upon application for or acceptance of service, constitute a contract between the customer and the utility, and the customer will be considered to express his consent to be bound thereby, and to take water only for purposes stated in the application and at the established rates. The Augusta Water District's foregoing policy is supplemental to governing rules and regulations in Chapter 620.

DEFINITIONS

The word "utility" refers to the AUGUSTA WATER DISTRICT.

The word "customer" shall be taken to mean any person, firm, corporation, government or governmental division which has applied for and is granted service or which is responsible for payment for the service.

The "main" or "watermain" means a water pipe owned, operated and maintained by a utility, which is used for the purpose of transmission or distribution of water but is not a water service pipe.

The "service pipe" is the pipe running from the main to the premises of a single customer's establishment.

"Establishment" means a location at which water service is sought or is being rendered for single or multiple buildings or facilities.

A "limited service contract" is a written agreement, approved by the Commission, under which the utility agrees to provide, and the customer agrees to accept, a substandard level of service as described in the contract, (i.e. normal system pressure below 20 psig).

"Corporation" is a body created and authorized by law to act and be treated as a single, legal entity with an identity distinct from that of its individual members. This definition includes private companies, municipal and quasi-municipal corporations.

The word "person" means an individual customer, partnership, or voluntary association.

A "private line" is a water line installed, owned, and maintained at the expense and risk of a person or group of persons and for the benefit of that person or group. The utility will not permit private lines where the potential exists to serve more than one customer.

A "temporary establishment" is an establishment that the utility reasonably believes to be of a temporary nature after giving due consideration to the location, setting, structures, and use of the establishment. The absence of a cellar or permanent foundation shall not be the sole criterion used by the utility in determining that an establishment is of a temporary nature. As a general rule, temporary establishments are expected to last no longer than 5 years. The owner must enter into a temporary service agreement with the utility before any temporary establishment can be served.

1. APPLICATIONS FOR SERVICE. Applications for service are to be made at the office of the utility on forms which will be provided by the utility. Such application may be made by either the owner or occupant of the establishment to be served. The applicant will pay the utility a \$10.00 Application For Water Service Fee prior to the service being activated. If the rendering of service requires a new service connection, or other work on the owner's premises that must be done by the utility, the owner must authorize the utility to enter the premises to do the necessary work. In addition, the utility will require the customer to provide any deposit, for the full estimated amount, at least two weeks prior to the utility performing any work.

Subject to the requirements of Chapter 650, the size and location of the utility's portion of the service pipe for a new service and service upgrade shall be determined by the utility.

2. UTILITY JOBBING. Whenever the utility undertakes to do work outside the scope of regulated utility service, for a customer at his expense, applications for such work shall be made in writing on forms provided by the utility. A deposit may be required equal to the utility's estimated cost of the work and for which deposit the customer will be given a receipt. At the completion of the work, a bill will be rendered. Unless the work is done on a flat rate basis, any excess deposit will be returned, and any amount due in excess of deposit will be payable when billed.

Temporary shut-off and/or resumption of service outside of normal working hours as requested by the customer for their convenience (non-emergency situations) will be charged to the customer as follows: A charge of \$25.00 will be assessed for all service shut-offs or turn-ons requested during normal business hours which extend from 7:00 a.m. until 4:00 p.m. on Monday through Friday, excepting holidays. Service shut-offs or turn-ons requested at other than normal business hours, other than Sunday and holidays, will be \$66.00. Service shut-offs or turn-ons requested for Sundays and holidays will be \$86.00.

3. OWNERSHIP AND MAINTENANCE OF SERVICE PIPE. All service pipes, including the shutoff, within the limits of the highway or right-of-way shall be installed, owned and maintained by the utility.

From the limits of the highway or right-of-way to the building, the service pipe shall be installed, owned and maintained by the customer. The customer owned portion of service pipe must be installed per the utility's standards and specifications and only after approval of the utility is obtained. Any service pipe requested shall be financed in full by the customer.

When it becomes necessary to thaw a frozen service pipe, and it cannot be determined where it was frozen, and when the utility, at the customer's request, undertakes to thaw the same, one-half of the cost thereof shall be paid by the customer.

4. TEMPORARY SERVICE. When, for any reason, it is impracticable to provide independent service, water may be furnished temporarily from an adjacent service if deemed advisable by the utility and the owner gives his permission, but entirely at the expense and risk of the customer requesting such service. As a general rule, temporary establishments served by a temporary service are expected to last no longer than 5 years. The owner must enter into a temporary service agreement with the utility before any temporary service is provided.

5. UNAUTHORIZED USE OF WATER. No customer shall supply water to another, nor shall he use it for any purposes not mentioned in his application without utility approval. No person shall

obtain water from any hydrant or other fixture of the utility without previous consent of the utility. Theft of utility services is unlawful and will be prosecuted.

6. SEASONAL SERVICE PIPES AND MAINS. Seasonal service pipes and mains are ones which, because of a lack of a sufficient cover or for other reasons, can supply premises for only a portion of a year. Water furnished through seasonal service pipes and mains will be furnished only from May 1 to October 1 except that the utility may render service before and after these dates if deemed advisable. Service furnished later than November 1 via a seasonal service or main shall be by written agreement between the utility and the customer unless the utility does not believe it necessary to do so.
7. SEASONAL CUSTOMER. A seasonal customer is one who regularly takes service for only a portion of the year from either a seasonal or year-round service. Except as provided below, a seasonal customer will be subject to the rules and charges of seasonal rates in effect.

In addition to the seasonal rate charge, all seasonal customers will be assessed a \$35.00 fee to cover the cost associated with activating and deactivating the seasonal service lines.
8. METER VALVE. Every service must be provided with two operable ball or gate valves located inside the building near the service entrance, easily accessible, and protected from freezing. All valving shall be so arranged as specified by the utility.
9. MAINTENANCE OF PLUMBING. To prevent leaks and damage, all customers shall maintain, at their own expense, the plumbing and fixtures within their own premises in good repair and protect them from freezing.
10. CROSS CONNECTIONS. No cross connection between the public water supply system and any other supply will be allowed unless properly protected in accordance with the directives and rules of the Department of Human Services Drinking Water Program, and no new cross connection may be installed without the approval of said department and the utility. In addition, no connection capable of causing backflow between the public water supply system and any plumbing fixture, device, or appliance, or between any waste outlet or pipe having direct connection to waste drains will be permitted. If the owner of such a connection fails, or refuses, to break or properly protect the connection within a time limit specified by the utility, service shall be discontinued pursuant to Chapter 810 or Chapter 860.

Section 1: Test Fees

If a testable backflow prevention device is required, the utility will perform the initial installation, inspection, testing, and certification of said device for a flat fee of \$35.00 which will be paid in advance by the customer. All required subsequent tests must be done by a certified backflow prevention tester. A list of certified testers is available from the utility.

Section 2: Reinspection

The utility will charge a flat fee of \$35.00 to re-inspect those businesses' where an RPZ backflow preventer was not previously required. The utility will perform this reinspection every five years in accordance with its' cross connection control program.

11. FLUCTUATION OF PRESSURES BY CUSTOMER'S APPARATUS. No customer shall install or use water consumption apparatus which will affect the utility's pressure or operating conditions so as to interfere with the service of another customer. Where a customer has or proposes to install apparatus which requires water in sudden and/or material quantities, impairing the pressure to the detriment, damage or disadvantage of other customers, the utility reserves the right to require such customer to install devices or apparatus which will confine such fluctuation of demand or reduction of pressure within reasonable limits determined by the utility.

If the customer, after receiving written notice from the utility, fails to present an acceptable remedial plan within a time limit set by the utility, service will be discontinued pursuant to Chapter 810.

12. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES. All customers having direct pressure water devices, including but not limited to hot water tanks, or secondary systems supplied by automatic feed valves should have installed and maintained in operating condition appropriate thermal/pressure expansion tanks, vacuum, temperature, and pressure relief valves or cutouts in the water system and/or secondary system to prevent damage to the water device or secondary system or their appurtenances should it become necessary to shut off the watermain or service, or should a pressure failure occur for any other reason. Water service supplied to any customer not providing such protective devices will be solely at the risk of the customer, and the utility will not be held liable for damage resulting from the lack of, failure of, or improper installation of such protective devices.

The utility strongly urges customers to install thermal/pressure expansion tanks as a means to prevent damage to plumbing lines and fixtures due to water hammer and over pressurization.

13. JOINT USE OF SERVICE PIPE TRENCH. Except as provided in the following paragraph, water service pipes will not be placed in the same trench with other utility facilities, and where possible a horizontal separation of ten feet shall be provided.

Where extenuating, unusual or special circumstances are encountered, a lesser separation or joint use of trench may be allowed with mutual agreement of the parties involved, provided that the installation shall be in compliance with all applicable laws, rules and regulations.

14. WINTER CONSTRUCTION. No extension of mains will be installed for the convenience of a customer during winter conditions unless agreed to by the utility. As with all watermain extensions the entire cost will be paid for by the customer desiring the extension. Any reimbursement contributions calculated in accordance with Chapter 650 will be based on the cost of non-winter construction as determined by the utility.

15. RESPONSIBILITY FOR WATER CHARGES. Except as provided in Chapter 810, where there is more than one occupant of a building supplied with water, the plumbing must be so arranged by the owner as to permit separate connections with shutoffs and meters in locations acceptable to the utility, for each place of business or abode, unless the owner of the premises makes application for service and thereupon assumes responsibility for payment of all charges for water service rendered to the property.

16. BILLING PROCEDURES:

FIRE PROTECTION RATES will be billed in advance on or before March 15th and September 15th of each year for the period ending September 15th of that year or March 15th of the succeeding year, except that service commencing or reinstated subsequent to March 15th or September 15th will be billed on a pro-rata basis by nearest whole month to the succeeding September 15th or March 15th.

METERED SERVICE. All utility customers are required to have water meters which will be installed, maintained and read by the utility. The customer is required to provide a warm, dry and accessible location for all meter installations. Metered Service will generally be billed in arrears after 3 months service in a cycle determined by geographical areas of the system of the utility. The utility may elect to bill customers monthly if desired.

REQUESTS FOR MISCELLANEOUS SERVICE WORK ORDERS. The utility will charge customers a \$15 Return Trip Fee when the customer fails to show up for their scheduled appointment, without just cause, as determined by the utility. Customers are required to cancel appointments with the utility at least one hour in advance to avoid paying the \$15 Return Trip Fee. In addition, customers requesting a leak search of their premises will be charged a \$25 Leak Search Fee for searches lasting one hour or less and an additional \$20 per hour fee, on a pro-rata basis, for all time required beyond the initial one hour.

17. ACCESS TO PREMISES AND ACCOMPANIMENT. Employees of the utility having proper photo identification shall have free access to all premises supplied with water, at all reasonable hours to permit the inspection of plumbing and fixtures, to set, remove or read meters, to ascertain the amount of water used and manner of use, and to enforce these rules and regulations. The utility requires the customer to provide an authorized adult to escort utility personnel throughout the premises as needed.

18. NO LIABILITY FOR INTERRUPTED OR UNSATISFACTORY SERVICE. If, by reason of temporary shortage of supply or for the purpose of making repairs, extensions, connections, or placing or replacing meters, unpaid bills pursuant to Chapter 810, or for any reason beyond the control of the utility, it becomes necessary to shut off water in a main or service, the utility will not be responsible for any damages occasioned by such shut off and no adjustment of rates will be allowed unless the interruption is in effect for a longer than forty-eight hour period, if the interruption is not the customer's fault. The adjustment will apply only to the minimum bill and can be adjusted on the next bill. Notice of planned shutoffs will be given twenty-four hours or more in advance to those customers who will be affected. Notice of unplanned shutoffs will be given when practicable.

The utility will not be responsible for damage caused by discolored water or unsatisfactory water service which may be occasioned by cleaning of pipes, reservoirs or standpipes, or the opening or closing of any valves or hydrants, or any abnormal condition, unless caused by the lack of reasonable care on the part of the utility. The utility will not be responsible for meeting unusually high water quality standards for specialized or industrial customers.

The utility will attempt to maintain standard system pressures between 25 p.s.i. and 150 p.s.i. In the event that a prospective customer desires service with the full understanding that normal system pressures may fall below 20 p.s.i, service will be rendered only upon completion of a Limited

Service Contract, which contract shall be approved by the Public Utilities Commission prior to rendering of service. Where a customer feels the pressure is more than an apparatus can endure, it shall be the responsibility of the customer to install a suitable pressure reducing device.

19. DISCONNECTION AND DEPOSIT REGULATIONS FOR RESIDENTIAL UTILITY SERVICE. The utility's tariff is governed in all cases by the Maine Public Utilities Commission Chapter 810 Rules and Regulations.

Pursuant to Chapter 810, discontinuance of water utility service shall be governed by the following sections:

Section 1: Reconnection Fee

A turn-on charge of \$25.00 will be assessed for the resumption of service during normal business hours. Normal business hours extend from 7:00 a.m. until 4:00 p.m. on Monday through Friday, excepting holidays. Reconnections requested and made at other than normal business hours other than Sundays and holidays will be \$66.00. Reconnections requested and made on Sundays and holidays will be \$86.00.

Section 2: Late Payment Charges

The utility will impose the maximum late payment charge permitted by the Maine Public Utilities Commission under Chapter 870 Rules and Regulations on all bills not paid by the due date of the bill. The due date for the bill will be 26 days after the bill has been mailed.

Section 3: Deposits

Whenever applicable, the utility will require the customer to provide a deposit in accordance with the Maine Public Utilities Commission Chapter 810, Section 5 Rules and Regulations.

Section 4: Disconnection of Single-meter, Multi-unit Dwellings

Before disconnecting a leased or rented single-meter, multi-unit residential property, the utility shall:

- A. Comply with the notice requirements in Chapter 810 of the Maine Public Utilities Commission Rules and Regulations; and
- B. Assess, against the landlord, a collection fee of \$225.00 in addition to any applicable reconnection fee set forth in Section 19 of these Term and Conditions; and
- C. At the utilities option, the utility may separately meter or cause to be separately metered each dwelling unit within the property at the landlord's expense; and
- D. Apply any existing deposit to the current account balance; and
- E. File a lien authorized by Title 35-A M.R.S.A. Sec. 6111; and

- F. Notify the Consumer Assistance Division of the actions taken pursuant to this Term and Condition and their results.

20. METERS

- A. GENERAL. All water sold by a utility shall be on the basis of meter measurements or as otherwise provided for in its rate schedules, and the utility may install meters whenever and wherever deemed expedient.

The customer may receive water through a meter upon application to the utility. The size of the meter will, in all cases, be determined by the utility.

- B. METER SETTING. All meters shall be set, as near as possible, at the point of entrance of the service pipe to the building, and the customer shall provide and maintain a clean, dry, warm and accessible place therefor. The cost of the meter and installation shall be borne by the customer. Meters, once set, may be changed in location at the request of the customer, at their own expense. The meter relocation will be done only by an agent of the utility.

1. For all new meter installations of meters one and one-half inches and larger in nominal size, the piping arrangement and configuration shall be in accordance with the specifications, standards and requirements of the utility.
2. The utility requires that all new multitenant buildings be individually metered. The cost of the meters and installation shall be borne by the owner. The installation of the individual meters shall be installed in a common location, with keyed access from the exterior of the building and shall be installed in accordance with the utility's requirements. The utility will permit a single master meter at the owner's request, provided the owner agrees to pay for all water consumption.

- C. REMOTE READING REGISTERS OR SIMILAR REMOTE AUTOMATED DEVICES. Remote reading registers or similar remote automated, such as ECR touch pads or MXU radio transmitters, etc., acceptable to, and installed by, the utility may be utilized.

- D. METER VALVES. When the customer fails or neglects to furnish a suitable location for a meter inside his building, or when for other reasons, it is necessary or expedient to locate the meter outside the building, an underground vault acceptable to the utility shall be provided and maintained at the expense of the customer. If mutually agreed upon, the installation may be performed by the utility on a jobbing basis.

Use of service pipe material, beyond the public right-of-way, which is deemed by the utility to be inferior shall constitute grounds for requiring the use of a meter installation at an exterior location.

E. REPAIRS. Meter repairs and replacements necessitated by ordinary wear will be paid for by the utility. Those caused by freezing, hot water, or by other cause within the control of the customer will be charged to the customer, including the cost of removing and replacing the damaged meter. Deposits for frozen meters will be as follows:

1.) Weekdays During Normal Business Hours:

- \$60 for 5/8" thru 1" diameter meters
- \$80 for 1 1/2" and larger meters

2.) Weekdays Other Than Normal Business Hours:

- \$120 for 5/8" thru 1" diameter meters
- \$140 for 1 1/2" and larger meters

3.) Weekends - 4:00 p.m. Friday thru 12:00 p.m. Saturday:

- Same as #2 above

4.) Weekends - 12:01 a.m. Sunday thru 7:00 a.m. Monday:

- \$140 for 5/8" thru 1" diameters meters
- \$160 deposit for 1" and larger meters

F. SUBMETERING. If additional or auxiliary meters are desired by the customer for showing subdivision of the supply, the customer shall furnish, install, read and maintain them at his own expense.

G. TESTING. Each utility furnishing water on a metered basis shall provide and maintain suitable equipment and facilities for testing its meters acceptable to the Public Utilities Commission, except that upon written request from a utility having a relatively small number of meters and limited personnel, the Commission may waive this requirement provided arrangements are made with another utility or qualified firm properly equipped to test its meters, such arrangements being acceptable to the Commission.

Portable test meters and equipment may be used to test meters in the field; these test meters and equipment shall be tested and recalibrated to insure accuracy at least once a year. The equipment shall include a device to regulate the flow of water through the meter during the test.

Meters will be carefully tested by the manufacturer, with proper certification of such testing furnished to the utility, or by the utility before installation. Thereafter, meters will be tested periodically as prescribed by the Commission or more frequently if requested by the customer. Tests made at the request of a customer shall be made in the presence of the customer or his representative, if he so desires, and a report of the test in writing will be furnished to the customer.

All tests will be at the sole expense of the utility, unless the customer requests tests more frequently than once in eighteen (18) months, in which case the utility may require the customer to make a minimum deposit in the amount of \$60.00. After testing, a bill showing actual costs will be mailed to the customer. If a meter tested at the request of a customer does not conform to the standards of these regulations, any customer's deposit required will be either refunded or credited to the customer's account. If the meter conforms to the standards of these regulations, the customer will be required to pay the entire cost of said testing, customer's deposit adjusted accordingly, and the meter can be continued in use at the same location.

To determine the accuracy of meters, the following standard specifications of the American Water Works' Association shall be used for all testing of positive displacement cold water meters.

| <u>FLOW IN G.P.M. (gallons per minute)</u> | | | |
|--|----------------|---------------------|----------------|
| <u>Nominal Meter Size</u> | <u>Minimum</u> | <u>Intermediate</u> | <u>Maximum</u> |
| 5/8" | 0.25 | 2 | 15 |
| 3/4" | 0.50 | 3 | 25 |
| 1" | 0.75 | 4 | 40 |
| 1 1/2" | 1.50 | 8 | 80 |
| 2" | 2.00 | 15 | 120 |
| 3" | 4.00 | 20 | 250 |
| 4" | 7.00 | 40 | 350 |
| 6" | 12.00 | 60 | 700 |

No meter shall be placed in service if it registers over or under by more than 2% at the intermediate or maximum flows or less than 90% of the minimum flow.

Augusta Water District's schedule for the routine testing of water meters.

Cold Water Meters – Displacement Type (AWWA C700-77)

| <u>Nominal Size of Meter</u> | <u>Maximum Interval Between Tests</u> |
|------------------------------|---------------------------------------|
| 5/8" | 12 years or upon register rollover |
| 3/4" | 12 years or upon register rollover |
| 1" | 12 years or upon register rollover |
| 1 1/2" | 12 years or upon register rollover |
| 2" | 12 years or upon register rollover |

Cold Water Meters – Displacement Type (AWWA C700-77)

| <u>Nominal Size of Meter</u> | <u>Maximum Interval Between Tests</u> |
|------------------------------|---------------------------------------|
| 3" | 3 years – Field |
| 4" | 2 years – Field |
| 6" & Larger | 1 year – Field |

Cold Water Meters – Turbine Type (AWWA C701-78)

| <u>Nominal Size of Meter</u> | <u>Maximum Interval Between Test</u> |
|------------------------------|--------------------------------------|
| 1 1/2" | 4 years or upon register rollover |
| 2" | 4 years or upon register rollover |
| 3" | 3 years or upon register rollover |
| 4" | 2 years or upon register rollover |
| 6" & Larger | 1 year or upon register rollover |

21. CONSUMPTION ADJUSTMENTS

- A. METER MALFUNCTION OR REMOVAL. If a meter malfunctions or if it is removed from service, the utility will make an estimate of the water consumption during the period of malfunction or removal said estimate to be based on the average consumption for similar periods, adjusted for any known changes, and the charges will be computed accordingly. Whenever a meter error, which is determined by dividing by two the algebraic sum of the intermediate and maximum flow error, is found to exceed 10%, that meter shall be considered to have malfunctioned.
- B. PERCENTAGE ADJUSTMENT. In addition, when a meter is tested at a customer's request and the meter error is found to be 2% or more but not greater than 10%, an appropriate percentage adjustment may be made to the metered consumption of the past billing period and the portion to date of the current billing period, and the charges may be adjusted accordingly.
- C. OVER REGISTERING. Whenever a meter is tested under any circumstances and there is found a meter error 2% or more on the high side, the consumption shall be adjusted in accordance with Paragraph 21(A) or 21(B), whichever is appropriate, and the customer's charges shall be revised accordingly.

22. FIRE HYDRANTS. Fire hydrants may not be used for any purpose other than the extinguishments of fires or for such other purposes as may be agreed to by the utility and the municipality or owner of a private hydrant. In no case shall fire hydrants be opened by any person other than an agent of the utility or a duly authorized representative of the municipality or owner.

23. PRIVATE FIRE PROTECTION. Customers requiring private fire protection must contact the utility to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expense within the bounds of the public way or right of way. The fire service line, after installation, will be owned and maintained in the public way or right of way by the utility. Ready-to-serve charges for fire services are billed semi-annually. The utility does not guarantee and quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. Timely notice must be given to the utility so a representative of the utility can be present to observe the test.

24. NO TAMPERING WITH UTILITY PROPERTY. There shall be no tampering with utility property. No valve, meter, meter setter, backflow prevention device, shutoff, hydrant or standpipe, which is the property of the utility, will be opened or closed or otherwise operated, by other than persons authorized by the utility.