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**OPERATING TERMS AND CONDITIONS**

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## TERMS AND CONDITIONS

The following Terms and Conditions made by the Greater Augusta Utility District ("Utility") and filed with the Maine Public Utilities Commission ("Commission"), constitutes a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

All Utility residential, commercial, industrial and governmental credit and collection procedures in these Terms and Conditions will conform to and be based upon Chapter 81 of the Maine Public Utilities Commission's Rules and Regulations.

### SECTION I: DEFINITIONS

The following terms have the following meanings, unless the context clearly indicates a different meaning:

- A. Account Balance. "Account balance" means the total amount owed by a customer that has been properly billed by the Utility in accordance with this Rule.
- B. After hours. "After hours" are defined as:
  - Weekdays; after 4:00 p.m. and before 7:00 a.m.
  - Weekends; after 4:00 p.m. Friday and before 7:00 a.m. the following Monday.
- C. Amount Overdue. "Amount overdue" means the amount that the Utility has properly billed to a customer that has not been paid in full by the due date of the bill.
- D. Applicant. "Applicant" means any person or business that applies for utility service and who has not been a customer of the Utility within the past 30 calendar days.
- E. Basic Service. "Basic service" means utility service where the Commission regulates the rate or charge for the service and the rate or charge for the service is contained in the Utility's rate schedules. For utilities authorized to disconnect water service for the non-payment of sewer charges pursuant to 35-A MRSA Section 6111-C, sewer charges constitute as "basic" service for the purpose of this Rule.
- F. Bill. "Bill" means a statement, either in written or electronic form, from a utility to a customer that states the amount owed by the customer for the current billing period, the amount overdue, the account balance, late fees and any other charges lawfully owed by the customer.
- G. Commission. "Commission" means the Maine Public Utilities Commission.
- H. Complaint. "Complaint" is a dispute between an applicant or customer and a utility which the Consumer Assistance Division has decided to resolve pursuant to this Rule.
- I. Consumer Assistance Division. "Consumer Assistance Division" or "CAD" is a division of the Commission assigned with the responsibility of dealing with consumer issues under Chapter 81.
- J. Corporation. "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, and municipal and quasi-municipal corporations.
- K. Customer. "Customer" means any person, business, corporation, government or governmental division that has applied for or been accepted to receive, or is either receiving utility service or has agreed to be billed for utility service. This term also includes a person or business that was a

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customer of the same utility within the past 30 days and who requests service at the same or a different location.

- L. Deposit. "Deposit" means any payment, however designated, that is held as security for future payment or performance.
- M. Dispute. "Dispute" means a grievance of a customer or applicant about the Utility's application of any provision of this Rule. Disputes include, but are not limited to:
1. deposit requirements;
  2. the accuracy of meter readings or bill amounts;
  3. the proper person to be charged;
  4. the terms of a payment arrangement;
  5. the terms to avoid a pending disconnection;
  6. the terms to obtain a reconnection; and
  7. the transfer of an account balance incurred in one customer's name into another customer's account.

If a customer or applicant has a grievance and then indicates that the response from the Utility's employee was satisfactory, the contact between the customer or applicant and the utility will not be considered a dispute.

- N. Establishment. An "Establishment" is a location at which water service is sought or is being rendered.
- O. Fraud. The term "Fraud" means a false representation, by words or conduct, or the concealment of facts which should have been disclosed, which is intended to deceive a utility and upon which the utility reasonably relies in taking actions with respect to a customer.
- P. Holidays. "Holidays" are observed according to the published State of Maine government holidays. Holidays are not considered "normal business hours". Holidays start at 12:01 AM of the observed holiday and end at midnight.
- Q. Limited Service Contract. A "Limited Service Contract" means 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 described in the contract, (i.e. normal system pressure below 20 psig).
- R. Make-up Bill. A "make-up bill" is a bill issued for previously unbilled utility service.
- S. New Customer. A "New Customer" means any person or business that has applied and been accepted for service that has not taken service from the Utility within the past 30 days.
- T. Non-basic Utility Service. "Non-basic utility service" means utility service that meets any of these conditions:
1. The Commission does not regulate the rate or charge for the service;
  2. The rate or charge for the service is not contained in the Utility's rate schedules;
  3. The service is for merchandise or equipment that is not required as a condition of receiving utility service; or
  4. For utilities that do not have the authority to disconnect water service for the non-payment of sewer charges pursuant to 35-A MRSA, § 6111-C, sewer charges are considered "Non-basic utility service" for the purpose of this Rule.

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- U. Occupant. "Occupant" means any person who resides at a premises that is provided with utility service.
- V. Payment Arrangement. "Payment arrangement" means an agreement between a customer or applicant and the Utility that allows the account balance or deposit to be paid in one or more installments.
- W. Person. "Person" means an individual, partnership, or voluntary association.
- X. Physician. "Physician" means any individual authorized by law to practice medicine or osteopathy in Maine.
- Y. Premises. "Premises" means any residential or non-residential building or property.
- Z. Private Line. "Private line" means:
  - 1. A water line constructed prior to May 7, 1986 across private property to serve one or more customers and not considered by the Utility to be a main;
  - 2. Except as provided under Section 2(C) of Chapter 65, a water line constructed after May 7, 1986 across private property to serve a single customer, a single multi-unit dwelling complex or a single commercial or industrial development upon which no other person has an easement or other right of access for water line purposes.
- AA. Refund. "Refund" means a cash or cash equivalent reimbursement to a customer. The application of a credit to a customer's account is not a refund.
- BB. Residential Utility Service. "Residential utility service" means utility service provided to a dwelling. It includes service provided for a nonresidential purpose, if a residential dwelling is receiving service through the same meter.
- CC. Seasonal Customer. "Seasonal customer" means a customer which 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.
- DD. Serious Medical Condition. "Serious medical condition" means a medical condition such that a lack of utility service would pose a serious risk of harm to the individual with the condition.
- EE. Service Pipe. "Service Pipe" means the pipe running from the water main to the customer's establishment.
- FF. Temporary Establishment. "Temporary establishment" means 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 temporary. 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.
- GG. Unauthorized Use. "Unauthorized use" means the interference or diversion of utility service. Unauthorized use includes, but is not limited to:
  - a. tampering with the meter (any act which affects the proper registration of service through a meter);

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- b. bypassing the meter without prior Utility permission (unmetered service that flows through a device connected between the service line and customer-owned facilities); or
- c. restoring service without authorization from the Utility or the CAD.

HH. Utility. "Utility" refers to the Greater Augusta Utility District.

II. Water Utility. A corporation, person, or the lessee, trustee, of a corporation or person, owning, controlling, operating, or managing any water works for compensation within this State.

JJ. Water Main. A water pipe, other than a service pipe or private line which is owned, operated, and maintained by the Utility, and used for the transmission or distribution of water.

KK. Third Party. "Third party" means a person or entity not employed by or working on behalf of the Utility. For the purposes of this Chapter, neither Commission staff nor contractors working on behalf of the Utility are considered "third parties".

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**SECTION II: Establishment of Service**1. Application for Water Service.

Applications for service may be made at the office of the Utility or over the phone. Applications for service may be made by either, the owner, the owner's agent or occupant of the establishment to be served. Tenants applying for water service at a multi-unit property must co-sign a form along with the owner of the property. The applicant will pay the Utility a \$20.00 Application for Water Service Fee that will be added to the first bill. 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 62 of the Commission's Rules and Regulations, 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.

All applications for water service will be governed by Sub-Section 6 of Chapter 81 of the Commission's Rules and Regulations.

2. Service Pipe.

All service pipes, including the curb stop (shutoff valve), within the limits of the public right-of-way or Utility's 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, including the portion within the public or Utility right-of-way.

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.

3. Access to Premises.

Employees of the Utility having proper 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, 18 years or older to escort Utility personnel throughout the premises as needed.

4. Seasonal Service Pipes and Mains.

Seasonal service pipes and mains are ones which, because of a lack of 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 at the Utility's discretion. 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.

5. Seasonal Customers.

In addition to the seasonal rate charge, each seasonal customer will be assessed a \$57.00 fee to cover the cost associated with both activating and deactivating the seasonal service line.

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6. Restoration of Service / Reconnection Charge.

The Utility will charge the customer a reconnection fee to restore service at the customer's premises if service was disconnected for nonpayment of bills, violation of the Terms and Conditions, fraudulent use of water, dangerous conditions on the customer's premises, violation of Commission rules, or at the customer's request.

The reconnection charge is \$38.00 for each resumption of service made during normal business hours of 7:00 AM to 4:00 PM Monday through Friday, excluding holidays. The charge after hours is \$102.00. The charge for a resumption of service during a holiday is \$133.00.

7. Collection Trip Fee.

If Utility personnel visit the customer's premises to disconnect service for non-payment and in lieu of actual disconnection the customer pays or makes a payment arrangement for the entire past due balance, the Utility will charge a collection fee of \$10.00 or the Utility's reconnection charge, whichever is less.

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**SECTION III: Credit and Collections****8. Billing Procedures.**

All bills are past due no less than twenty-five (25) days after the bill is mailed. A bill is considered "mailed" on the date it is postmarked. Bills may be rendered monthly, quarterly or by the season at the option of the Utility. All billings will be in arrears unless otherwise noted. Customers are responsible for providing a correct billing address. Failure to receive a bill does not relieve the customer of the obligation of his or her payment, nor from the consequences of nonpayment.

Public and private fire protection charges shall be due and payable in advance on a semi-annual basis on or before March 15<sup>th</sup> and September 15<sup>th</sup> of each year for the period ending September 15<sup>th</sup> of that year or March 15<sup>th</sup> of the succeeding year, except for service commencing or reinstated subsequent to March 15<sup>th</sup> or September 15<sup>th</sup> will be billed on a pro-rata basis by nearest whole month to the succeeding September 15<sup>th</sup> or March 15<sup>th</sup>. The Utility reserves the right to bill all fire protection charges in advance on a monthly basis.

All billing and payment standards will be governed by Sub-Section 8 of Chapter 81 of the Commission's Rules and regulations.

**9. Disconnection Process for Overdue Combined Water and Municipal Sewer Balances.**

The Utility may disconnect water service to customers receiving sewer service from the Utility for nonpayment of an undisputed balance, if the total amount overdue is \$150.00 and more than 26 days old.

**a. Definitions:**

- i. **Service Classification:** "Service classification" includes water and sewer services billed as residential, commercial, industrial, and governmental accounts.
- ii. **Total Account Balance:** "Total account balance" means the total water and sewer amount owed by a customer that has been properly billed.
- iii. **Total Amount Overdue:** "Total amount overdue" means the total water and sewer amount billed to a customer that has not been paid by the due date of the bill, or by the due date otherwise agreed upon by the Utility and the customer. Disputed amounts will not be included in the Total Amount Overdue.

b. **Billing:** Bills shall be issued in accordance with Chapters 81 and 870 of the Commission's Rules and Regulations and Section 8 of these Terms and Conditions.

c. **Disconnection and Reconnection:** A 14-day disconnection notice shall be issued when a customer does not pay or make a payment arrangement on an undisputed balance, and the Total Amount Overdue is greater than \$150.00 and more than 26 days old. Subsequent collection actions, including disconnections and reconnection, shall be in accordance with Chapter 81 of the Commission's Rules and Regulations and these Terms and Conditions.

d. **Payment Allocation:** In the event that a payment is received by the Utility which does not clearly indicate whether the payment is for water or sewer, the Utility shall attempt to ascertain the intentions of the customer. When such intentions cannot be determined, money received shall be applied first to outstanding water bills, then to outstanding sewer bills.

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- e. Payment Arrangement: The Utility shall continue to serve a customer who cannot pay the Total Account Balance provided satisfactory payment arrangements are made in accordance with Chapter 81 of the Commission’s Rules and Regulations and these Terms and Conditions.
- f. Dispute Resolution: The Utility shall resolve disputes in accordance with the Commission’s Rules and Regulations.

10. Late Payment Charge.

The Utility will impose the maximum late payment charge permitted under Chapter 870 of the Commission’s Rules and Regulations on all bills not paid by the due date of the bill.

11. Reconnection Fee.

The Utility will charge a Customer a reconnection fee for the resumption of water service as detailed below:

Normal Business Hours:	\$38.00
After Hours:	\$102.00
Holidays:	\$133.00

12. Return Trip Fee.

The Utility will charge a customer a \$15.00 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 scheduled appointments with the Utility at least one hour in advance to avoid the Return Trip Fee.

13. Temporary Shut-Off and Turn-On Fee.

The Utility will charge a Customer a single fee for a requested shut-off and resumption of water service for non-emergency purposes as detailed below.

Normal Business Hours:	\$38.00
After Hours:	\$102.00
Holidays:	\$133.00

14. Deposits.

Whenever applicable, the Utility will require the customer to provide a deposit in accordance with Chapter 81, Sub-Section 7 of the Commission’s Rules and Regulations.

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15. Disconnection of Single-Meter, Multi-Unit Properties.

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

- a. Comply with the notice requirements in Chapter 81 of the Commission's Rules and Regulations; and
- b. Apply any existing deposit to the current account balance; and
- c. At the Utility's 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. File a lien against the property in accordance with 35-A MRSA Section 6111-A to collect a past due water bill. A \$250.00 charge covering lien notification, preparation, filing, and processing will be added to the past due amount, and included as part of the lien filing.
- e. Notify the Consumer Assistance Division of the actions taken pursuant to these Terms and Condition and their results.

16. Charge for Returned Checks.

A charge will be made to the account of any customer whose check is returned by the bank for reason of insufficient funds. The charge shall be the greater of \$5.00 or an amount equal to the actual bank charges up to but exceeding \$15.00. The Utility will furnish the customer with proof of any bank charges in excess of \$5.00.

17. Electronic Bill Payment.

The Utility may allow customers to pay amounts owed the Utility for service by using a credit card, debit card, ACH (automatic clearinghouse) or pre-authorized draft (collectively known as electronic bill payment). The Utility or any vendor retained by the Utility to process any payments by electronic bill payment may charge customers a fee for processing payments, as long as the customer is informed of the specific amount of the fee prior to making the payment.

Electronic payments may be made at the office using a card-swipe system or online. Fees for this service are paid as follows:

- a. Payment in the office or via phone to the office:
  - i. 2.95% of the total transaction cost is added as a vendor processing fee.
- b. Payment online:
  - i. 2.95% of the total transaction cost is added as a vendor processing fee for non-residential customers.
  - ii. Residential customers are charged a flat fee of \$2.95.

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**SECTION IV: Customer and Utility Rights and Responsibilities**

18. Unauthorized Use of Water.

No customer shall supply water to another, nor shall water be used for any purposes not mentioned in his application without Utility approval. No person shall obtain water from any public or private fire hydrant, private sprinkler system or other fixture of the Utility without previous consent of the Utility. Theft of Utility services is unlawful and will be prosecuted under the guidelines of 17-A MRSA Ch. 15, Sub-Section 357. Refer also to section GG of this document.

19. Conservation.

The Utility shall take all reasonable steps to prevent the unnecessary waste of water. If a leak is located on a customer's service pipe, the Utility shall provide notice to the customer that the leak must be repaired within the time frame specified by the Utility. If a customer fails to repair a leak on their service pipe within the time frame specified, service shall be discontinued pursuant to Chapter 81 of the Commission's Rules and Regulations.

When necessary to conserve the water supply, the Utility may restrict or prohibit the use of hoses, sprinklers or other non-agricultural irrigation systems.

20. Fluctuation of Pressures by Customer's Apparatus.

No customer shall install or use a 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 81 of the Commission's Rules and Regulations.

21. 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 water main 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 caused by water hammer and/or over pressurization.

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## 22. Interruption of Water Supply.

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 81, 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:

1. the interruption is in effect for a longer than forty-eight hour period, and
2. 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 at least twenty-four hours in advance to affected customers. Notice of unplanned shutoffs will be given when practicable.

## 23. Limited Service Contract.

The Utility will attempt to maintain standard system water pressures between 25 pounds per square inch (PSI) and 150 PSI. In the event that a prospective customer desires service with the full understanding that normal system pressures are at or below 20 PSI, service will be rendered only upon completion of a Limited Service Contract. The Limited Service Contract must be approved by the Public Utilities Commission prior to rendering service.

Where a customer believes the pressure is more than an apparatus can endure, it shall be the responsibility of the customer to install a suitable pressure reducing device.

## 24. Liability of Utility.

- a. The Utility shall in no event be liable for any damage or inconvenience caused by reason of any break, leak or defect in the customer's service pipe or fixtures.
- b. If for the purposes of making repairs, extensions or connections, or for any other reason beyond the control of the Utility, it becomes necessary to shut off water in the mains, the Utility will not be responsible for any damages occasioned by such shut-off. The Utility will not be responsible for damage caused by turbid water which may be occasioned by cleaning pipes, reservoirs or standpipes, or the opening or closing of any valves or hydrants, or any other cause when the same is not due to lack of reasonable care on the part of the Utility.
- c. The Utility will not be responsible for meeting water quality standards that exceed Primary Drinking Water Standards set by the Maine Department of Health and Human Services. Notwithstanding these Standards, the Utility makes no representations or warranties about the quality of the water and will not be liable thereby for any damages caused by unsatisfactory water quality.

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**SECTION V: Meters**25. General.

All water sold by the Utility shall be on the basis of meter measurements or as otherwise provided for in its rate schedules. 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 and type of the meter will, in all cases, be determined by the Utility.

26. Metered Service.

All Utility customers are required to have water meters which will be installed, maintained and read by the Utility. The cost of the meter, appurtenances and installation shall be borne by the customer. The customer is required to provide a warm, dry and accessible location for all meter installations. All meter installations shall be in accordance with the Utility's requirements, standards, and specifications. Metered service will generally be billed in arrears after 3 months service. The Utility may elect to bill customers on a more frequent basis if desired.

27. Meter Location.

Single-Family Residential:

- A. Except as set forth below, each individual residence must have its own meter. Sub-service from a metered line is not permitted. Metered water lines may not be extended to serve another residence or place of business.
- B. The water meter shall be located in the basement or mechanical/utility room if one is available. The water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the service line comes through the floor of the mechanical/utility room. All water meters installed within buildings shall be within 48 inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than 24 inches and not more than 48 inches above the floor surface. Meters shall be located in a clean, dry, warm and accessible location. Meters may not be located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under a residence. 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.
- C. A rear building served by a water line through the front building as of the date of the adoption of these Terms and Conditions, may continue in this manner as long as both are on the same lot and under the same ownership regardless of any major repairs to the service line to the front building. The main water service shall not be branched. If the rear building is sold, replaced, or the property is divided, a new direct service with separate meter(s) shall be installed in accordance with these Terms and Conditions.

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Apartments, Duplexes, Condominiums and Commercial Buildings:

- D. The Utility requires all new multi-tenant buildings to 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 may permit a single master meter at the owner's request, provided the owner agrees to pay for all water consumption. If meters cannot be installed in a common location with access from the exterior of the building, then individual service lines with curb stop valves must be installed into the building.
- E. The water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the service line comes through the floor of the mechanical/utility room. All water meters installed within buildings shall be within 48 inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than 24 inches and not more than 48 inches above the floor surface. Meters shall be located in a clean, dry, warm and easily accessible location. Meters may not be located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under any building. 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.

Mobile Homes:

- F. Effective January 1, 2011, water meters for all new or replacement mobile homes placed on a concrete or gravel slab shall be located inside the home in a warm, dry and accessible location. The meter may not be installed under the home. For mobile homes placed on full basement foundations, refer to the Single Family Residential item above.
- G. Effective January 1, 2011, for existing mobile homes where the water meter is located under the home, the utility will require the customer to provide access to the meter during for service work by removing the skirting where the meter is located, all insulation, and heat tape prior to the arrival of Utility personnel. The customer will be responsible for re-installing the insulation, heat tape and skirting once the service is complete. Failure of the customer to provide access to the water meter as described above will result in the initiation of disconnection proceeding pursuant to Chapter 81 of the Commission's Rules and Regulations.

Mobile Home Parks:

- H. Mobile home parks whose water distribution system is not owned and maintained by the Utility shall be metered at the point of entry of the water service line onto the property with a single master meter. The master meter shall be placed inside a meter pit structure meeting the Utility's current specifications. The meter pit shall be owned, installed and maintained by the customer in good repair at the customers' expense.

28. Meter Valves.

Every service must be provided with two operable ball or gate valves, one on each side of the water meter, located inside the building near the water service entrance, in a location which is easily accessible, and protected from freezing. All valve configurations shall be arranged as specified by the Utility based on the required meter size. The customer shall own and maintain these valves in good operable condition.

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29. Meter Pits or Vaults.

The Utility discourages and limits the use of meter pits or vaults due to inaccessibility and safety issues. The use of meter pits or vaults will be considered on a case by case basis and requires prior written Utility approval. Approved meter pits or vaults must be in accordance with the Utility's current specifications. The ownership, installation and maintenance of all meter pits and vaults shall be, and remain the responsibility of the customer. The meter pit or vault must be located on the customer's property as close to the property line as possible. The meter pit or vault must be installed in such a manner to keep the pit or vault clean and dry at all times. All piping and valves within the meter pit must be arranged per the applicable sections of this policy or as directed by the Utility. All backflow prevention devices installed inside the pit or vault must receive prior written approval from the Utility and meet all applicable State and Utility regulations.

30. Remote Reading Registers or Similar Remote Automated Devices.

Remote reading registers or similar remote automated meter reading devices such as ECR touch pads or MXU radio transmitters, etc., acceptable to, and installed by the Utility or its agent may be utilized.

31. Repairs and Replacement.

Meter repairs and replacements necessitated by ordinary wear will be paid for by the Utility. Those caused by freezing, attempts to thaw, 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. The Utility will charge the customer for the repair and/or replacement of damaged meters in accordance with these Terms and Conditions based on the meter size and the time of repair as follows: Rates are per hour costs plus cost of meter.

- a. Normal Business Hours:
  - \$38.00 plus cost of meter for 5/8" – 1" diameter meters
  - \$76.00 plus cost of meter for 1 1/2" diameter and larger
- b. After Hours (except holidays):
  - \$102.00 plus cost of meter for 5/8" – 1" diameter meters
  - \$204.00 plus cost of meter for 1 1/2" diameter and larger
- c. Holidays:
  - \$133.00 plus cost of meter for 5/8" – 1" diameter meters
  - \$266.00 plus cost of meter for 1 1/2" diameter and larger

32. 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 such meters at the customer's own expense. All auxiliary meters must be installed downstream of the Utility's meter.

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33. Testing.

The Utility has a program that replaces all meter sizes from 5/8" diameter up to and including 2" diameter upon a twelve-year service period. Meters 3" and larger are tested in conformance with Maine Public Utilities Commission Chapter 62 Standards. Tests made at the request of a customer shall be made in the presence of the customer or their representative, if they so desire, and a written report of the test 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 will 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 MPUC Chapter 62, then any customer's deposit required will be either refunded or credited to the customer's account. If the meter conforms to the standards of MPUC Chapter 62, 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.

34. Leak Abatement Procedure.

From time to time plumbing failures cause water leaks that are undetected until the water meter is read. This policy explains the procedure for Customers seeking abatement for an undetected plumbing failure that results in consumption which is significantly higher than normal.

Application: Customers who request abatement must complete the application provided by the District.

Eligibility:

Customers must have previous bills for water paid in full to apply for abatement.

Abatement claims made more than 180 calendar days after the billing date will not be considered.

Abatements apply only to plumbing failures that result in excess usage and have been repaired and documented to the District with a signed statement from the Customer.

Customers can only be awarded a single (1) abatement credit every thirty-six months.

Maximum abatement amount: The maximum abatement for water will be \$1,000.

Abatement limits: An abatement not exceeding the maximum and up to one-half the amount greater than the average of the consumption calculated from the previous consecutive four billing periods (12 billing periods for Customers billed monthly) can be credited back to the Customer. Credits will appear on a subsequent bill.

Example: Previous 4 quarter usage averages 20 HCF (hundred cubic feet). Excess usage causes consumption to rise to 30 HCF.  $30 - 20 = 10$  HCF. The abatement amount is  $\frac{1}{2}$  the difference (10 HCF in this example) so the Customer would get a credit of 5 HCF.

Review: The District will review each application on a case by case basis and grant or deny plumbing failure abatements based on available information.

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**SECTION VI: Cross Connections**

35. 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 Health and Human Services, Division of Health Engineering, Drinking Water Program (DWP). No new cross connection may be installed without the approval of the DWP 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 81 of the Commission's Rules and Regulations.

Cross connections must also comply with the District's Cross Connection Control Program.

36. Backflow Prevention Devices, Testing Requirements.

If a testable backflow prevention device is required, the Utility will perform the initial inspection and testing of said device for a flat fee of \$40.00 to be paid in advance by the customer.

Subsequent required tests must be done by a certified backflow prevention device tester. Test results must be provided to the Utility within 30 calendar days of the actual test. A list of certified backflow prevention device testers is available from the Utility.

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**SECTION VII: General Provisions**

37. Tampering with Utility Property.

There shall be no tampering with Utility property. No Utility-owned valve, meter, meter setter, backflow prevention device, shutoff, hydrant or standpipe will be opened or closed or otherwise operated by anyone other than the Utility or its agents. All tampering offenses will be prosecuted under the guidelines of 35-A MRSA Ch. 27, Sub-Sections 2706 – 2708.

38. Utility Jobbing.

Jobbing is the provision of unregulated utility services, such as construction services.

Jobbing services are offered at the discretion of the Utility. Customers who, at their expense, wish to have the Utility perform work outside the scope of regulated Utility service must complete a written utility jobbing request form 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, or if the final cost exceeds the deposit, the customer must pay the additional amount upon completion.

39. Joint Use of Water Main and Service Pipe Trench.

Water mains, services, hydrant branches etc. will not be placed in the same trench with sewer facilities. State of Maine Rules Relating to Drinking Water 10-144 Chapter 231, Section 4E require that a horizontal separation of ten (10) feet be provided between water system infrastructure and all sewer facilities. Where extenuating, unusual or special circumstances are encountered, a lesser separation may be allowed with mutual agreement of all parties involved, provided that the installation shall be in compliance with all applicable laws, rules and regulations.

The Utility also regulates the horizontal separation between all water mains, services, hydrant branches etc. and all other underground utility facilities per its Standard Specifications.

40. Size of Water Distribution Mains.

The Utility provides water for domestic use and fire protection. The Utility requires all distribution mains to be adequately sized in accordance with Chapter 65 of the Commission's Rules and Regulations.

41. Low Income Assistance.

For Utility customers expressing a need for assistance in paying their water bill, the Utility will refer customers to known state, county, municipal or community agencies that have programs to help low-income customers with utility bills.

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**SECTION VIII: Fire Protection**

42. Fire Hydrants.

Fire hydrants, both public and private, may not be used for any purpose other than fire extinguishment, training purposes by authorized fire department personnel, or for such other purposes as may be agreed to in writing by the Utility and a 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.

43. 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 in accordance with Section III (8) above. The Utility does not guarantee the 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. A minimum 48 hour notice must be given to the Utility in advance of flow testing work so a representative of the Utility can be present to observe the test, if so desired.

All new private fire connections shall require appropriate backflow prevention devices at the service entrance in accordance with the Utility's Cross Connection Control Program.

44. Charge to Flow Test Fire Hydrants.

The Utility will charge a fee of \$200.00 to flow-test a public or private fire hydrant if a flow test has been done at the requested location within the past five (5) years of the requested test date. If the most recent flow test is older than five (5) years, there will be no charge for the requested flow test. Under all circumstances, at the Utility's discretion, the Utility shall have a representative present to observe or conduct the flow test.

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