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August 30, 2002

Hon. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Missouri Public Service Commission
P.O. Box 360
Jefferson City, Mo 65102

RECEIVED⁶

AUG 30 2002

Attn: Filing Desk

Re: Environmental Utilities, LLC
Water Tariff
WA-2002-65

*Records
Public Service Commission*

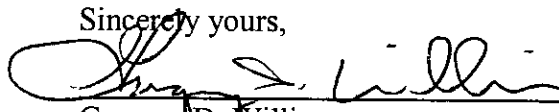
Dear Judge Roberts:

Please find enclosed for filing with the Commission the original and 3 copies of the following:

1. Water Tariff consisting of Pages 1 through 36, and a cover page.

The Commission issued a certificate of convenience and necessity for Environmental Utilities on June 27, 2002 by its Order of said date in Case WA-2002-65. This is a new tariff for the Company, as it does not have an existing tariff on file with the Commission. The terms and conditions of the enclosed tariff have been reviewed by both the Staff of the Commission and the Office of Public Counsel.

Sincerely yours,



Gregory D. Williams

cc: Keith Krueger – Deputy Gen. Counsel
Ruth O'Neill - OPC

WATER TARIFF
FOR
ENVIRONMENTAL UTILITIES, LLC
CAMDEN COUNTY, MISSOURI

Debra J. Williams
Manager
Environmental Utilities, LLC
P.O. Box 650
Sunrise Beach, MO 65079

Environmental Utilities, LLC
Name of Issuing Company

For: Certificated Water Service Areas in Camden County
Certificated Service Area

Rules and Regulations Governing
the Rendering of Water Service

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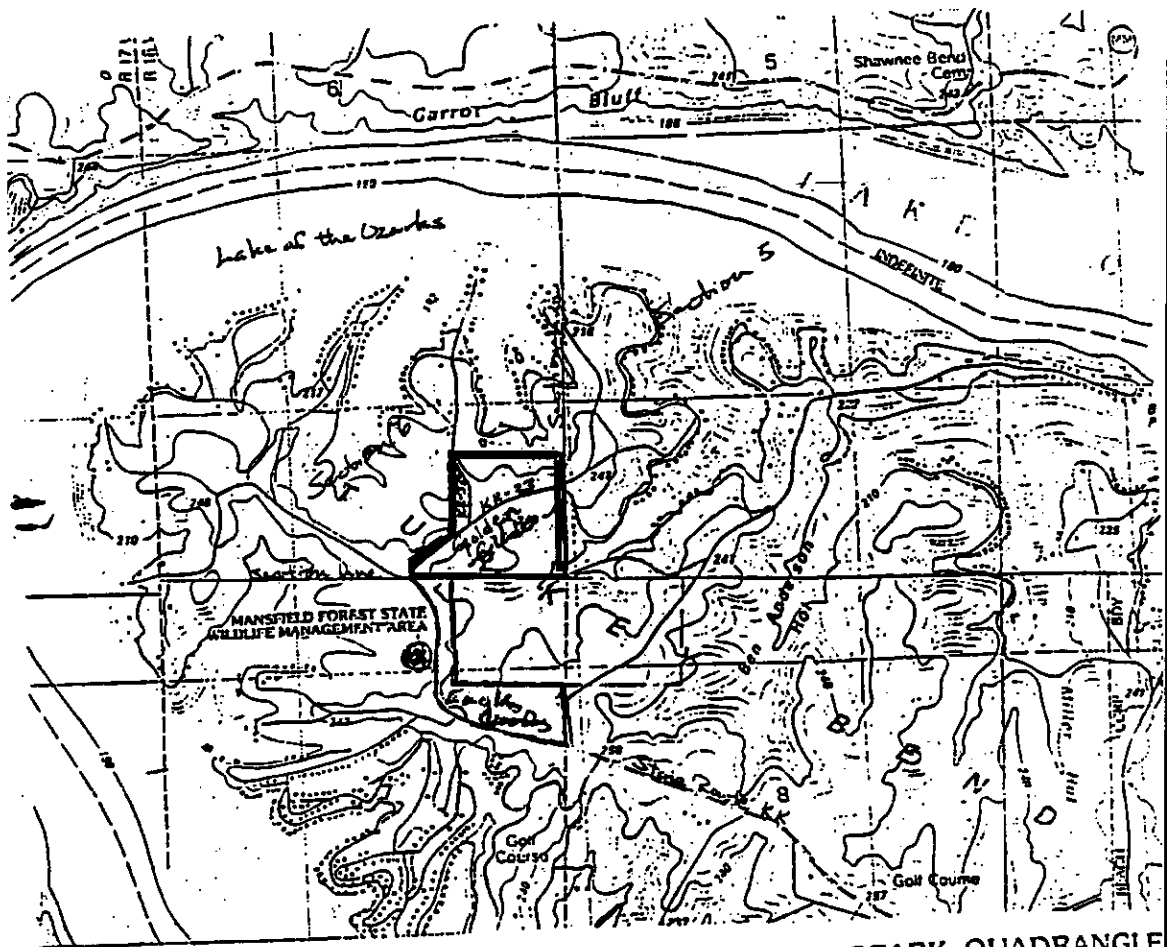
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Map of Service Area



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Legal Description of Service Area(s)

GOLDEN GLADE SERVICE AREA

All of the Southeast Quarter of the Southeast Quarter, and that part of the Northeast Quarter of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter of Section 6, Township 39 North, Range 16 West, described as follows:

Commencing at the East Quarter Corner of Section 6, Township 39 North, Range 16 West, thence South along the East Line of said Section 6 940.0 feet to the Southeast Corner of Tract 55 of Running Deer Subdivision, a subdivision of record in Camden County, Missouri, according to the plat thereof on file and of record in Plat Book 6 at Page 36 in the Office of the Recorder of Deeds of Camden County, Missouri and the point of beginning; thence West along the South line of said Tract 55 540.0 feet; thence South 85 degrees 00 minutes West along said South line of Tract 55 795.7 feet to the east right of way of a road shown on said Plat of Running Deer Subdivision and now know as Lake Road KK-33D; thence continue South 85 degrees 00 minutes West 40.0 feet, more or less, to the West line of the Northeast Quarter of the Southeast Quarter of said Section 6, Township 39 North, Range 16 West; thence South along said West line 1087.6 feet, to the centerline of Lake Road KK-33, 40.0 feet wide road; thence along said centerline of Lake Road KK-33 South 56 degrees 57 minutes West 114.1 feet; thence South 51 degrees 31 minutes West 567.2 feet to the P.C. of a 58 degrees curve to the left; thence along the semi-tangent line of said curve South 51 degrees 31 minutes West 50.3 feet to the P.I. of said curve; thence departing said P.I. and the 40.0 feet wide road run East along said South Section Line to the Southeast Corner of said Section 6; thence departing said South Section Line run North along the East Section Line of said Section 6 1710 feet, more or less, to the point of beginning.

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Schedule of Rates

Rate Schedule W-1

Availability: This rate is available to metered water customers served off the Company's mains suitable for supplying the service requested and located in one of the Company's Certificated Water Service Areas.

Monthly Minimum: (Includes 2,000 gallons of water)

For Service through a 5/8" water meter	\$ 16.36 per month
For Service through a 1" water meter	\$ 22.64 per month
For Service through a 1 1/2" water meter	\$ 38.85 per month
For Service through a 2" meter	\$ 44.25 per month
For Service through a 3" meter	\$ 63.55 per month
For Service through a 4" meter	\$ 161.13 per month

Commodity Charge: For metered usage greater than 2,000 gallons per month
\$3.8701 per 1,000 gallons

Taxes: Any applicable Federal, State, or local taxes computed on a billing basis shall be added as a separate item in rendering each bill.

Un-metered Service: Un-metered water service is not available from the Company. All customers shall install a meter at the time that service is established in accordance with the Schedule of Service Charges set forth in this Tariff. Un-metered connections shall be disconnected by the Company after 30 days written notice to the person receiving water through such un-metered connection.

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Schedule of Service Charges

Construction inspection charge per connection, where Service Connection is constructed by Customer, includes placement of a meter in meter setting, meter setting provided by customer\$80.00

New Service Connection by Company (includes inspection, 5/8" meter & meter setting pit, ring, lid, and meter yoke, with backflow prevention.....\$450.00

Larger pipelines and meter settingsactual cost of labor and materials +
\$25/ hr administration time

New Inside Meter Installation – available in condominium projects where right of access has been granted to the Company.

Installation of meter in a meter yoke or setting that was constructed by the builder and meets the company's specifications, includes inspection of indoor meter setting\$60 for meter w/o remote read

Installation of meter with yoke and valve and/or adequate plumbing fittings needed to set a meter w/o remote read.....\$125/meter.

Remote meter reading device installation – required of all customers where inside meters are not readily accessible for reading\$25/reader.

Installation of reader wiring (labor & wire)\$25/hr

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SERVICE CHARGES (CONTINUED)

Disconnect and reconnect charge - backhoe required due to no outdoor shutoff, includes meter, pit, lid, ring, and meter yoke with backflow prevention, if not already installed, new meter setting and installation of meter if no meter exists, or a valve if inside meter exists \$450.00

Disconnect and reconnect charge - water meter available, less than 5 days notice. . \$50.00

Disconnect or reconnect at customer's request - water meter available, 3 days notice.
.....N/C

Service Call at Customer's request related to problems not associated with the Company's water system. Customer notified of cost prior to service..... \$50.00

Returned check charge.\$15.00

Past Due Notice (Residential).(one mailed notice/month) \$6.50/notice

Over Due Commercial Bills (more than 30 days).1.5%/month

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Rule 1 DEFINITIONS

- a) An "APPLICANT" is a person, firm, corporation, governmental body, or other entity that has applied for service; two or more APPLICANTS may make one application for a main extension.
- b) The "COMPANY" is Environmental Utilities, LLC, acting through its officers, managers, or other duly authorized employees or agents.
- c) A "Condominium" is a building and property of common ownership consisting of living units owned in fee by individual property owner, with an association of unit owners that maintains common property.
- d) A "CUSTOMER" is any person, firm, corporation or governmental body which has contracted with the company for water service or is receiving service from company, or whose facilities are connected for utilizing such service.
- e) The "DATE OF CONNECTION" shall be the date of the permit for installation and connection issued by the company. In the event no permit is taken and a connection is made, the date of connection may be the date of commencement of construction of the building upon the property.
- f) A "DEVELOPER" is any person, firm, corporation, partnership or any entity that, directly or indirectly, holds title to, or sells or leases, or offers to sell or lease, or advertises for sale or lease, any lots in a subdivision.
- g) "DISCONTINUANCE OF SERVICE" is the intentional cessation of service by the company not requested by the customer.
- h) The "MAIN" is a pipeline that is owned and maintained by the company, located on public property or private easements, and used to transport water throughout the company's service area.
- i) The "METER" is a device used to measure and record the quantity of water that

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flows through the service line, and is installed in the meter setting.

- j) The "METER SETTING" includes the meter box, meter yoke, lid, valves and appurtenances, all of which shall be owned and maintained by the company. The meter setting may be located outdoor at or near the property line, or indoor in a residential basement or crawl space. Multiple meter settings may exist at a single building for condominium units or other multi-tenant units.
- k) The "SERVICE CONNECTION" is the pipeline connecting the main to the customer's water service line, or outdoor meter setting including all necessary appurtenances. This service connection may be installed either by the company or by the applicant, and will be owned, and maintained by the company. If the property line is in a street, the said service connection shall be deemed to end at the edge of the street abutting the customer's property.
- l) A "SUBDIVISION" is any land in the state of Missouri which is divided or proposed to be divided into two or more lots or other divisions of land, whether contiguous or not, or uniform in size or not, for the purpose of sale or lease, and includes resubdivision thereof.
- m) "TERMINATION OF SERVICE" is cessation of service requested by the customer.
- n) The word "UNIT", or LIVING UNIT is the premises or property of a single water consumer, whether or not that consumer is the customer. It shall pertain to any building whether multi or single occupancy, residential or commercial, or owned or leased. Each mobile home in a mobile home park, each living unit of a condominium building, and each rental unit of a multi-tenant rental property are considered as separate units for each single family or firm occupying same as a residence or place of business.
- o) The "WATER SERVICE LINE" is a pipe with appurtenances installed, owned and maintained by the customer, used to conduct water to the customer's unit from the property line or outdoor meter setting, including the connection to the meter setting. If the property line is in a street, then the water service line shall be deemed to begin at the edge of the street abutting the customer's property. For condominiums with

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indoor meters, actual ownership and maintenance responsibility of water lines located within the common areas of the condominium shall remain the responsibility of the condominium association rather than an individual customer or the Company. For all customers with indoor meters, the water service line also includes indoor plumbing between the wall of the structure and the inside meter setting.

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Rule 2 GENERAL

- (a) Every applicant, upon signing an application for any water service rendered by the company, or any customer upon taking of water service, shall be considered to have expressed consent to be bound by these rates and rules.
- (b) The company's rules governing rendering of service are set forth in these numbered sheets. The rates applicable to appropriate water service or service in particular service areas are set forth in rate schedules and constitute a part of these rules.
- (c) The company reserves the right, subject to authority of the Missouri Public Service Commission, to prescribe additional rates, rules or regulations or to alter existing rates, rules or regulations as it may from time to time deem necessary and proper.
- (d) After the effective date of these rules and regulations, all new facilities, construction contracts, and written agreements shall conform to these rules and regulations in accordance with the statutes of the State of Missouri and of the Public Service Commission of Missouri. Pre-existing facilities that do not comply with applicable rules and regulations may remain, provided that their existence does not constitute a service problem or improper use, and reconstruction is not practical.

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Rule 3 COMPANY EMPLOYEES AND CUSTOMER RELATIONS

- (a) Employees or agents of the company are expressly forbidden to demand or accept any compensation for any services rendered to its customers except as covered in the company's rules and regulations.
- (b) No employee or agent of the company shall have the right or authority to bind it by any promise, agreement or representation contrary to the intent of these rules and regulations.

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Rule 4 APPLICATIONS FOR SERVICE

- (a) A written application for service, signed by the customer, stating the type of service required and accompanied by any other pertinent information, will be required from each customer before service is provided to any unit. Every customer, upon signing an application for any service rendered by the company, or upon taking of service, shall be considered to have expressed consent to the company's rates, rules and regulations.
- (b) If service is requested at a point not already served by a main of adequate capacity, a main of adequate size shall be extended as may be necessary according to the company's rule for extension of water mains.
- (c) When, in order to provide the service requested, a main extension or other unusual construction or equipment expense is required, the company shall require a written contract. Said contract may include, but not be limited to the obligations upon the company and the applicant, and shall specify a reasonable period of time necessary to provide such service.

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Rule 5 INSIDE PIPING AND WATER SERVICE LINES

- a) The company will provide water service at the outdoor meter, or at the property line. Separate buildings shall be served through separate water service lines.
- b) The service connection from the water main to the customer's property line and the meter installation and setting may be constructed by the company, or by the applicant with the approval of and inspection by the company, subject to the appropriate charge. If no meter is to be located or accessible from outside the building, an accessible valve with valve box and lid must be installed at or near the property line. The service connection and meter setting or valve shall be owned and maintained by the company. For customers on a pre-existing water system with no accessible outdoor valve or meter setting, the company may require a valve or meter setting meeting its requirements be installed either by the customer, or by the company subject to the appropriate service charge, if turn-off of the customer's water service becomes necessary.
- c) Water service line construction and maintenance from the property line or meter setting, including the connection to the meter setting, to the building shall be the responsibility of the customer, and is subject to inspection by the company. Customers shall be responsible for the cost of repairing any damage to the company's mains, meters, and meter installations caused by the customer, his agent, or tenant. It shall be the responsibility of customers with indoor meters to insure that no plumbing arrangement is constructed that allows un-metered water to be taken off such water service lines.
- d) Existing water service lines may be used in connecting with new buildings only when they are found by examination and testing not to constitute a hazard to the health and safety of any customer or the company's facilities.
- e) The water service line shall be brought to the unit at a depth of not less than 36 inches and have a minimum inside diameter of 3/4 inch. The customer is responsible for the determination of whether or not a larger size is needed to provide adequate flow to the unit. A valve must be installed in the service line where it enters the unit.

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This valve must be kept in good repair in order to shut off the water supply and drain the inside plumbing, if necessary.

- f) Water service lines and inside piping shall be of material conforming to recognized standards for potable water service and shall have a pressure rating of at least 160 psi working pressure.
- g) The company will not install a service connection to a vacant lot.
- h) Any change in the location of an existing service connection requested by the customer shall be made at his expense.
- i) The company shall have the right to enter the customer's premises for the purposes of inspection to ensure compliance to these rules. Company personnel shall identify themselves and make these inspections only at reasonable hours.
- j) Neither water service lines nor service connections may be extended along public streets or roadways or through property of others in connecting with the company's mains. The service connection may, however, extend through the water main easement and roadway easement as necessary in order to be connected to a main located across and adjacent to a street in front of the customer's living unit. The service connection and service line must be laid in a straight line and at right angles to the main and the face of the structure or as nearly so as possible. Any deviation from this because of physical obstruction will be at the discretion of the company.
- k) Any customer having a plumbing arrangement, or a water-using device that could allow backsiphonage of any chemical, petroleum, process water, water from a questionable supply, or other substance that could create a health hazard or damage to the water system; or, any customer's plumbing classified as an actual or potential backflow hazard in the regulations of the Missouri Department of Natural Resources, 10 CSR 60 - 11, shall be required to install and maintain a backflow prevention device. This rule may also apply to customers on whose premises it is impossible or impractical for the company to perform a cross connection survey. The device, installation, location and maintenance program shall be approved by the company.

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Rule 6 IMPROPER OR EXCESSIVE USE

- (a) No customer shall be wasteful of the water supplied to the unit by his willful action or inaction. It shall be the responsibility and duty of each customer to maintain all piping and fixtures at the unit in a good and efficient state of repair at all times.
- (b) No customer shall make or cause to be made a cross connection between the potable water supply and any source of chemical or bacterial contamination or any other water supply. The company shall deny or discontinue service where customer's water service line or inside piping may, in the opinion of the company, cause a cross-connection with non-potable water or otherwise jeopardize the health and safety of other customers or the company's facilities.
- (c) The customer shall not make or cause to be made a connection to a device that will result in excessive water demand or excessive shock, such as water-hammer, to the company's mains.
- (d) The customer shall not tamper with, remove, or willfully damage a water meter or attempt to operate the shutoff cock on the meter yoke, or allow any such action.
- (e) The customer shall not attempt to take unmetered water from the company mains either by an unauthorized tap or direct connection to service connection nor by connection to a fire hydrant
- (f) Customers will not be permitted to supply water in any way to premises other than the service address, or to permit others to use their hose or attachments, or leave them exposed to use by others without permission from the water company.

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Rule 7 DISCONTINUANCE OF SERVICE BY COMPANY

(a) The company may discontinue service for any of the following reasons:

1. Nonpayment of a delinquent account not in dispute.
2. Failure to post a security deposit or guarantee acceptable to the utility.
3. Unauthorized interference, diversion or use of the utility service situated or delivered on or about the customer's premises.
4. Failure to comply with the terms and conditions of a settlement agreement.
5. Refusal to grant access at reasonable times to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement.
6. Violation of any of these rules on file with and approved by the Public Service Commission, or for any condition which adversely affects the safety of the customer or other persons, or the integrity of the utility's delivery system.
7. Non-payment of a sewer bill issued by the company, or by a sewer utility requesting discontinuance of water service by an approved agreement between the company and such sewer utility. When water service is discontinued for this reason, any service charges for turn on/off or disconnection/reconnection within these rules shall not apply, and notice to the customer shall be provided by rules and procedure applicable to the customer's sewer service in lieu of notification required by these rules.

(b) The company may discontinue service after notice by first class mail is sent to the customer at least ten (10) days prior to the date of the proposed discontinuance. If written notice is hand delivered to the customer, it shall be done at least ninety-six (96) hours prior to discontinuance. If the company intends to discontinue service to a multi-tenant dwelling, a notice shall also be conspicuously posted in the building

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ten (10) days prior to the proposed discontinuance. Service of notice by mail is complete upon mailing. Discontinuance shall not occur more than eleven (11) business days after the date given as the discontinuance date.

- (c) The company shall make reasonable effort to communicate with the customer, at least twenty-four (24) hours prior to any discontinuance, regarding the reasons(s) for discontinuance of service, and the resolution. If discontinuance of service would affect an occupant who is not the company's customer, or is not responsible for payment of the bill, then the company shall make reasonable effort to inform such occupant(s).
- (d) The company shall postpone the discontinuance if personnel will not be available to restore service the same day, or if personnel will not be available to restore service the following day. The company also shall postpone discontinuance if a medical emergency exists on the premises, however the postponement may be limited to 21 days, and the company may require proof of a medical emergency.
- (e) Discontinuance of service will be made during reasonable hours. Company personnel shall identify themselves and announce the intention to disconnect service, or leave a conspicuous notice of the disconnect.
- (f) The provisions of paragraphs (c) and (e) above may be waived if safety of company personnel while at the premises is a consideration.
- (g) Discontinuance of service to a unit for any reason shall not prevent the company from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the customer.
- (h) In case the company discontinues its service for any violation of these rules, then any monies due the company shall become immediately due and payable.
- (i) The company has the right to refuse or to discontinue service to any unit to protect itself against fraud or abuse.
- (j) The company shall deal with customers and handle customer accounts in accordance

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with the Public Service Commission's Utility Billing Practices, 4 CSR 240 - 13.

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Rule 8 TERMINATION OF SERVICE AT CUSTOMER'S REQUEST

- (a) Service will be terminated at the customer's request, by giving not less than twenty-four (24) hours notice to the company during its regular office hours. The company shall, on the requested day, read the customer's meter and charges for water service rendered up to and including the time of termination shall be computed and will become due and payable immediately.
- (b) A customer may request temporary termination of service for any length of time for his own convenience; however, the customer shall still be charged for service at the appropriate rate during the time the service is turned off. Turn-off and turn-on charges are specified in the schedule of service charges.

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Rule 9 INTERRUPTIONS IN SERVICE

- (a) The company reserves the right to discontinue water in its mains at any time, without notice, for making emergency repairs to the water system.
- (b) Whenever service is interrupted for repairs, all customers affected by such interruptions will be notified in advance whenever it is possible to do so. Every effort will be made to minimize interruption of service.
- (c) No refunds of charges for water service will be made for interruptions of service unless due to willful misconduct of the company.
- (d) In order to avoid service problems when extraordinary conditions exist, the company reserves the right, at all times, to determine the limit of and regulate in a reasonable and non-discriminatory manner, and where practical, the maximum amounts of water drawn from the company mains.

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Rule 10 BILLS FOR SERVICE

- (a) The charges for water service shall be at the rates specified in the rate schedules on file with the Missouri Public Service Commission. Other service charges, such as for turn-off or turn-on, are set forth in the Schedule of Service Charges in these rules.
- (b) A customer who has made application for water service to a unit shall be responsible for payment for all water service provided to him at said unit from the date of connection until the date requested by the customer by proper notification to the company to terminate service.
- (c) Each customer is responsible for furnishing the company with the correct address. Failure to receive bills will not be considered an excuse for non-payment nor reason to permit an extension of the date when the account would be considered delinquent. Bills and notices relating to the company or its business will be mailed or delivered to the mailing address entered in the customer's application unless the company is notified in writing by the customer of a change of address.
- (d) Payments shall be made at the office of the company or at such other places conveniently located as may be designated by the company or by ordinary mail. However, payment must be received by the close of business on the date due.
- (e) Neither the company nor the customer will be bound by bills rendered under mistake of fact as to the quantity of service rendered or as a result of clerical error. Customers will be held responsible for charges based on service provided.
- (f) A separate bill shall be rendered for each customer with itemization of all water service charges. All bills for service shall state the due date. The company shall have the right to render bills monthly.
- (g) Bills shall be due twenty-one (21) calendar days from the date of rendition, unless such due date falls on a Sunday, a legal holiday, or other day when the office is closed, in which case the due date shall be extended to the next business day. Bills unpaid after the stated due date will be delinquent and the company shall have the

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right to discontinue service in accordance with Rule 7. The company shall not be required to restore or connect any new service for such delinquent customers until the unpaid account due the company under these Rules and Regulations has been paid in full or arrangements satisfactory to the company have been made to pay said account.

- (h) When bills are rendered for a period of less than a complete billing period due to the connection or termination of service, the billing shall be the monthly minimum plus an amount based on the water used at the commodity (water usage) rate or one-half (1/2) of the flat rate if applicable.
- (i) The company may require a security deposit or other guarantee as a condition of new service if the customer: still has an unpaid account with a utility providing the same type of service accrued within the last five years; or has diverted or interfered with the same type of service in an unauthorized manner within the last five (5) years; or is unable to establish a credit rating with the company. Adequate credit rating for a residential customer shall be established if the customer: owns or is purchasing a home; or is and has been regularly employed full time for at least one year; or has an adequate and regular source of income; or can provide credit references from a commercial credit source.
- (j) The company may require a security deposit or other guarantee of payment as a condition of continued service if: the water service of the customer has been discontinued for non-payment of a delinquent account not in dispute; or the utility service to the unit has been diverted or interfered with in an unauthorized manner; or the customer has failed to pay undisputed bills before the delinquency date for five (5) billing periods out of twelve (12) consecutive monthly billing periods, or two (2) out of four (4) consecutive quarterly billing periods.
- (k) The amount of a security deposit shall not exceed utility charges applicable to one (1) billing period plus thirty (30) days, computed on estimated or actual annual usage.
- (l) Interest at the rate of 6% per annum compounded annually shall be payable on all deposits, but shall not accrue after the utility has made reasonable effort to return the deposit. Interest may be credited to the customer's account.

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- (m) After a customer has paid proper and undisputed utility bills by the due dates, for a period not to exceed one year, credit shall be established or re-established, and the deposit and any interest due shall be refunded. The utility may withhold full refund of the deposit pending resolution of a disputed matter.
- (n) The utility shall give a receipt for deposits received, but shall also keep accurate records of deposits, including customer name, service address, amounts, interest, attempts to refund and dates of every activity regarding the deposit.
- (o) All billing matters shall be handled in accordance with the Public Service Commission's Utility Billing Practices, 4 CSR 240-13.

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Rule 11 METERS AND METER INSTALLATIONS

- (a) All permanent service connections shall be metered. The company's installed meter shall be the standard for measuring water used to determine the bill.
- (b) All meters shall be furnished, installed, maintained and removed by the company and shall remain its property. Installation of new meters shall be subject to payment of the applicable service charge from the Company's schedule of service charges in this tariff.
- (c) The company shall have the right to determine on the basis of the customer's flow requirements the type and size of meter to be installed and location of same. If flow requirements increase or decrease subsequent to installation and a larger or smaller meter is requested by the customer, the cost of installing such meter shall be paid by the customer.
- (d) Service to any one customer shall be furnished through a single metering installation. Where a building is occupied by more than one tenant, the building shall be served by one meter. Inside piping may be rearranged at the customer's own expense so as to separate the units and meter tenants, then divide the bill accordingly. Condominium units may be metered separately with meters located inside the building, provided the water service line shall be maintained by the condominium association.
- (e) The meters and meter installations furnished by the company shall remain its property, and the owners of premises wherein they are located shall be held responsible for their safekeeping. For failure to protect same against damage, the company may refuse to supply water until the company is paid for such damage. The amount of the charge shall be the cost of the necessary replacement parts and the labor cost necessary to make the repair. Where legal action is required in order for the Company to protect or restore its meters or meter installations, the actual costs of such legal action, including a reasonable attorney's fee, shall be included in the costs to be paid.

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- (f) Except for situations permitting indoor meter settings as provided in these rules, the meter will be installed at or near the customer's property line; it shall be placed in a meter box vault constructed by the company or by the customer in accordance with the company's specifications. The company shall furnish and install suitable metering equipment for each customer except where installation in a special setting is necessary, in which case the excess cost of installation shall be paid by the customer.
- (g) The customer shall promptly notify the company of any defect in, or damage to, the meter setting.
- (h) Any change in the location of any existing meter or meter setting at the request of the customer shall be made at the expense of the customer, and with the approval of the company.
- (i) If an existing indoor meter location is determined inadequate or inaccessible by the company, the customer must provide for the installation of a meter to be located at or near the customer's property line. The customer shall obtain from the company, or furnish the necessary meter installation appurtenances conforming to the company's specifications, and said appurtenances and labor shall be paid by the customer.
- (j) Meters may be installed in dry basements or other indoor locations, sufficiently heated to keep the meter from freezing, provided the meter is readily accessible, at the company's and customer's convenience as determined by the company, for servicing and reading and the meter space provided is located as close as practical to where the service line enters the building. For condominiums, multiple meters may be located in one or more places suitable for access, and such that the company may inspect for unauthorized connections to the water service line located ahead of meters. The company may, at its discretion, require the customer to install a remote reading device at an approved location, for the purpose of reading the meter. It is the responsibility of the customer and/or the owner of the premises to provide a location for the water meter, which, in the event of water discharge as a result of leakage from the meter or couplings, will not result in damage. The company's liability for damages to any and all property caused by such leakage shall in no event exceed the price of water service to the affected premises for one average billing period in the preceding year. Where damage is caused by the negligence of company personnel at

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the premises, this limitation will not apply. If a customer refuses to provide an accessible location for a meter as determined by the company, the company will notify the Executive Secretary of the Public Service Commission before ultimately refusing service or proceeding to discontinue service.

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Rule 12 METER TESTS AND TEST FEES

- (a) Any customer may request the company to make a special test of the accuracy of the meter through which water is supplied to him. This test will be made in accordance with water industry test procedures, and to check for accuracy as required by regulations of the Public Service Commission.
- (b) The company reserves the right to remove and test a meter at any time and to substitute another in its place. In case of a dispute involving a question as to the accuracy of the meter, a test will be made by the company upon the request of the customer without charge if the meter has not been tested within twelve (12) months preceding the requested test; otherwise, an approved charge will be made if the test indicates meter accuracy within five percent (5%).
- (c) A meter test requested by the customer may be witnessed by the customer or his duly authorized representative, except for tests of meters larger than two (2) inch inlet, which will be conducted by the water meter manufacturer. A certified copy of the test report will be provided to the customer.
- (d) If a test shall show an average error of more than five percent (5%), billings shall be adjusted as provided by these Rules.

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Rule 13 BILL ADJUSTMENTS BASED ON METER TESTS

- (a) Whenever any test by the company of a meter while in service or upon its removal from service shall show such meter to have an average error of more than five percent (5%) on the test streams prescribed by the Public Service Commission, the company shall adjust the customer's bills by the amount of the actual average error of the meter and not the difference between the allowable error and the error as found. The period of adjustment on account of the under-registration or over-registration shall be determined as follows:
- (1) Where the period of error can be shown, the adjustment shall be made for such period.
 - (2) Where the period of error cannot be shown, the error found shall be considered to have existed for three (3) months preceding the test.
- (b) If the meter is found on any such test to under-register, the company may render a bill to the customer concerned for the estimated consumption not covered by bills previously rendered during the period of inaccuracy as above outlined. Such action shall be taken only when the company was not at fault for allowing the inaccurate meter to remain in service.
- (c) If the meter is found faster than allowable, the company shall refund to the customer concerned any overcharge caused thereby during the period of inaccuracy as above defined. Said refund may, at the company's option, be in the form of a credit to the customer's bill.

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Rule 14 EXTENSION OF WATER MAINS

- (a) This rule shall govern the extension of mains by the company within its certified area where there are no water mains.
- (b) Upon receipt of a written application for a main extension, the company will provide the applicant(s) an itemized estimate of the cost of the proposed extension. Said estimate shall include the cost of all labor and materials required, including valves, fire hydrants, booster stations, storage facilities, reconstruction of existing mains (if necessary), and the direct costs associated with supervision, engineering, permits, and bookkeeping.
- (c) Applicant(s) shall enter into a contract with the company for the installation of said extension and shall tender to the company a contribution in aid of construction equal to the amount determined in paragraph (b) above, plus any applicable customer connection fee. The contract may allow the customer to contract with an independent contractor for the installation and supply of material, except that mains of 12" or greater diameter must be installed by the company, and the reconstruction of existing facilities must be done by the company.
- (d) The cost to an applicant or applicants connecting to a main extension contributed by other applicant(s) shall be as follows:
 - (1) For single-family residential applicants that are applying for service in a platted subdivision, the company shall divide the actual cost of the extension (including income taxes) by the number of lots abutting said extension to determine the per lot extension cost. When counting lots, corner lots that abut existing mains shall be excluded.
 - (2) For single-family residential applicants that are applying for service in areas that are unplatted in subdivision lots, the applicants' cost shall be equal to the total cost of the main extension divided by the total length of the main extension in feet times 100 feet.

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- (3) For industrial, commercial, or multifamily residential applicants, the cost will be equal to the amount calculated for a single-family residence in paragraphs d(1) or d(2) above multiplied times the flow factors of the applicants' meter. The flow factors of the various sizes of meters are as follows:

<u>Meter Size</u>	<u>Flow Factor</u>
5/8	1
1	2.5
1 1/2	5
2	8
3	15
4	25

- (e) Refunds of contributions shall be made to applicant(s) as follows:
- (1) Should the actual cost of the extension be less than the estimated cost, the company shall refund the difference as soon as the actual cost has been ascertained.
 - (2) During the first ten years after the main extension is completed, the company will refund to the applicant(s) who paid for the extension moneys collected from applicant(s) in accordance with paragraph (d) above. The refund shall be paid within a reasonable time after the money is collected.
 - (3) The sum of all refunds to any applicant shall not exceed the total contribution, adjusted for taxes associated with the extension, which the applicant(s) has paid.
- (f) Extensions made under this rule shall be and remain the property of the company.
- (g) The company reserves the right to further extend the main and to connect mains on intersecting streets and easements. Connecting new customers to such further extensions shall not entitle the applicant(s) paying for the original extension to a refund for the connection of such customers.

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- (h) Extensions made under this rule shall be of company-approved pipe sized to meet water service requirements. If the company chooses to size the extension larger in order to meet the company's overall system requirements, the additional cost caused by the large size of pipe shall be borne by the company.
- (i) No interest will be paid by the company of payments for the extension made by the applicant(s).
- (j) If extensions are required on private roads, streets, through private property, or on private property adjacent to public right-of-way, a proper deed of easement must be furnished to the company without cost to the company, before the extension will be made.

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RULE 15 SERVICE REQUESTS REQUIRING ADDITIONAL CAPACITY

- (a) This rule shall apply to requests for service by a commercial, industrial, or multifamily residential Customer, who requests that service be extended in an amount or volume that exceeds the existing capacity of the water plant within the service area in which the Customer is located. For purposes of this rule, requests for service by subdivision developments of single family residential homes shall be considered to be a multifamily customer.
- (b) Upon receipt of a written application for service, the company will provide the applicant(s) an itemized estimate of the cost of the increase in capacity of said water plant required to provide the service requested. Said estimate shall include the cost of all labor and materials required, including wells, storage tanks, valves, fire hydrants, booster stations, storage facilities, reconstruction of existing mains (if necessary), and the direct costs associated with supervision, engineering, permits, and bookkeeping. .
- (c) Applicant(s) shall enter into a contract with the company for the installation of said extension and shall tender to the company a contribution in aid of construction equal to the amount determined in paragraph (b) above, plus any applicable customer connection fee. All plant capacity expansions must be constructed by the Company.
- (d) Refunds of the Contribution for Plant Capacity Expansion shall be made by the Company one year after service is actually provided to the Applicant. The amount of such refund shall be equal to five (5) times the annual revenue generated during the first year of service to the Applicant, or the development developed by the Applicant, but not more than the amount of the original contribution

Example: Service is requested by an apartment project, the developer of which pays the actual cost of expanding the existing water plant capacity required to serve the apartment project. During the first year of service, the apartment project has an average monthly water bill of \$500. At the end of one year, the Company will refund the developer of the apartment project $5 \times (12 \times 500) = \$30,000$.

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- (e) Where a project is developed in phases such that service is extended to less than the entire project for which the Applicant has paid for capacity, refunds shall be made by the Company at the end of one year after each phase is placed in service.
- (f) Where a project consists of a subdivision of single family homes, each home shall be deemed to be a separate phase for purposes of determining the amount and time for each reimbursement.

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RULE 16 TAMPERING

- (a) In the event that any person, whether a customer of the Company or otherwise, shall make any connection to the Company's water lines from which water service could be taken, without having first obtained the written consent of the Company to make such a connection, then that person shall be considered to have improperly and unlawfully obtained water service from the Company and to have tampered with the Company's water system.
- (b) Reconnection of a customer's water service without the consent of the Company, after the Company has terminated such service in accordance with the provisions of its tariff, shall also be considered tampering under this rule
- (c) In the event that a person tampers with the Company's system as described herein, the Company shall be allowed to take such actions as may be reasonable and necessary to remove such unlawful connection.
- (d) Any person who has tampered with the Company's water system as described herein shall be obligated to reimburse the Company for the reasonable and necessary costs and expenses incurred by the Company in removing such unlawful connection. Such costs and expenses may include labor, materials, equipment use or rental charges, the cost of engineering inspections and supervisory expenses, as well as reasonable legal expenses and attorney's fees incurred in obtaining any court orders or injunctions needed to obtain access to said unlawful connection.
- (e) In addition to the connection removal costs and legal expenses mentioned above, any person who has tampered with the Company's water system as described herein shall also be obligated to reimburse the Company for the estimated cost of any water service taken. Such person shall be presumed to have taken 500 gallons of water per day for a residential service connection, and the presumed volume of water taken shall be proportionately increased based upon the size of the pipe or pipes connected to the Company's water system. Said presumption may be rebutted by clear and convincing evidence as to the actual volume of water taken.

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RULE 17 WATER FOR FIRE PROTECTION

This rule shall apply to all customers who request that the Company provide water for fire protection purposes, whether for industrial, commercial, or residential structures.

- (a) In the absence of a specific written contract executed by the Company, the Company shall be conclusively deemed to be without knowledge of or any obligation to provide any particular volume or flow of water to any customer for the purpose of providing fire protection to the customer. The Company shall not be bound by any statement of any officer, employee, manager, or agent with respect to the availability of any volume or flow of water to any customer for fire protection purposes.
- (b) The Company shall have no obligation to provide water for fire protection to any customer solely by virtue of its authority to provide public water utility service under the certificate(s) of convenience and necessity granted to it by the Missouri Public Service Commission.
- (c) Where the Company has agreed to provide a particular volume or flow of water to one or more customers for fire protection purposes, such agreement shall be on a "best efforts" basis only, and the Company shall have no liability or obligation to such customers for any damage resulting from the failure of the water so supplied to prevent damage by fire to the customers' property.
- (d) Where water is used for fire protection purposes, the Company shall not be liable for any water damaged caused by the use of such water for fire protection purposes, or as a result of the failure of any fire protection device.
- (e) A Customer who requests the availability of a particular volume or flow of water for fire protection purposes shall pay the entire cost to the Company of all labor and materials required, including wells, storage tanks, valves, fire hydrants, booster stations, storage facilities, reconstruction of existing mains (if necessary), and the direct costs associated with supervision, engineering, permits, and bookkeeping. The Company will give the customer an estimate of the above cost prior to any project expenses being incurred by the Company.

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- (f) Where an improvement that is constructed for fire protection purposes pursuant to this rule will also result in a benefit to other customers, a provision for refunds to the customer or applicant who contracts for fire protection may be included in the contract. Such refunds may be in the form of company participation, or fair share charges to other applicants or customers, provided, however, that any charges assessed to other applicants or customers must be approved by the Missouri Public Service Commission. The cost of obtaining such approval shall be paid by the Applicant. An estimate of such costs shall be given by the company to the applicant prior cost being incurred.

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