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~~November 12, 2004~~
December 9, 2004

Mr. Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge
Governors Office Building
200 Madison Street
P.O. Box 360
Jefferson City, MO 65102-0360

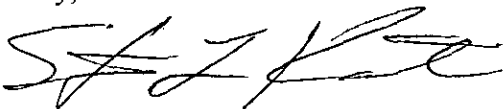
Re: Calvey Brook Sewer Inc.
Case #SA-2004-0279

Dear Judge Hardy,

Enclosed please find the resubmitted complete tariff with substitute sheets in response to Mr. Jerry Scheible's review and comment on the original submission.

If you should require any further information, please feel free to contact me.

Sincerely,



STEVEN L. KAMIENSKI
email: kamienski@bbd-law.com

SLK/cal
Enc.

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UTILITY OPERATIONS
DIVISION

FILED

DEC 15 2004

Missouri Public
Service Commission

Calvey Brook Sewer Inc.
Name of Issuing Company

For: Calvey Brook Sewer Inc. District
Certificated Service Area

**Rules and Regulations Governing
the Rendering of Sewer Service**

Tariff Title Page

CALVEY BROOK SEWER INC.

**SCHEDULE OF RATES, RULES, REGULATIONS
AND CONDITIONS OF SERVICE GOVERNING THE
PROVISION AND TAKING OF SEWER SERVICE**

* Indicates new rate or text
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Date of Issue 11 15 2004
Month Day Year

Date Effective 12 15 2004
Month Day Year

Issued By: Jeff Snider, President
Name and Title of Issuing Officer

2801 W. Osage, Pacific, Missouri 63069
Company Address

Calvey Brook Sewer Inc.
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**Rules and Regulations Governing
the Rendering of Sewer Service**

INDEX

<u>Sheet Number</u>	<u>Subject</u>
1	Tariff Title Page
2	Index
3	Map of Service Area
4	Legal Description of Service Area
5	Schedule of Rates
6	Schedule of Service Charges

<u>Sheet Number</u>	<u>Rule Number</u>	<u>Rule Subject</u>
7	1.	Definitions
10	2.	General Rules and Regulations
11	3.	Limited Authority of Company Employees
12	4.	Applications for Sewer Service
14	5.	Inside Piping and Customer Service Sewer
17	6.	Improper or Excessive Use
19	7.	Discontinuance of Service by Company
21	8.	Interruptions in Service
22	9.	Bills for Service
24	10.	Special Contract for Excess Capacity
25	11.	Rules Applying to Customers served by Alternative Collection System
29	12.	Extension of Collecting Sewers

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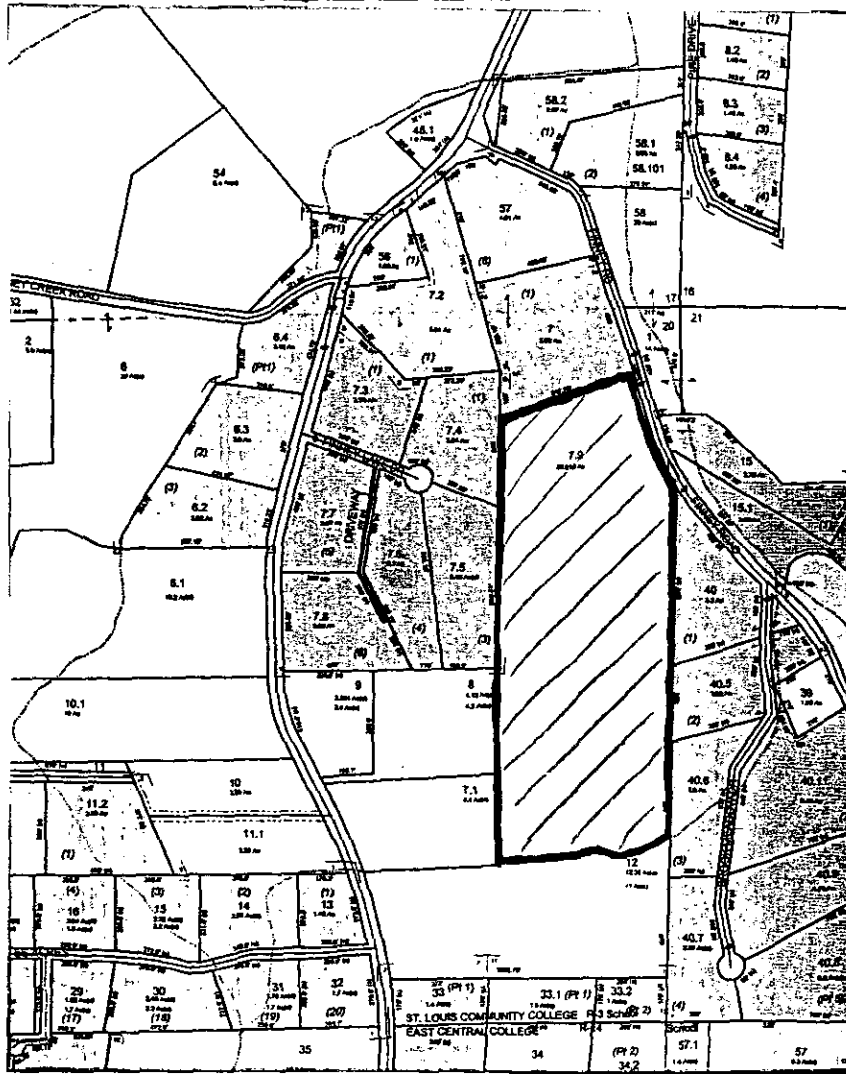
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Map of Service Area



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Legal Description of Service Area

A tract of land being part of the Northeast quarter of Section 20, Township 42 North, Range 2 East of the 5th P.M., Franklin County, Missouri, being more fully described as follows: Beginning at the intersection of the Southwest right-of-way of Finney Road with the section line located South 02 degrees 07 minutes 43 seconds West 663.52 feet from a stone at the Northeast corner of said Section 20; thence South 02 degrees 07 minutes 44 seconds West on the section line 1356.97 feet to the centerline of a creek; thence on the centerline of said creek as follows: North 49 degrees 51 minutes 29 seconds West 59.03 feet; South 69 degrees 07 minutes 51 seconds West 157.81 feet; North 57 degrees 12 minutes 25 seconds West 65.14 feet; South 68 degrees 42 minutes 54 seconds West 126.36 feet; South 84 degrees 15 minutes 33 seconds West 102.41 feet; North 86 degrees 45 minutes 35 seconds West 121.86 feet; and North 60 degrees 44 minutes 05 seconds West 68.30 feet; thence leaving said creek North 0 degrees 36 minutes 35 seconds East on the property line 699.29 feet to an iron rod; thence North 01 degree 54 minutes 47 seconds East on the East line of Finney Lake Estates for 939.81 feet; thence North 73 degrees 19 minutes 45 seconds East 517.78 feet to the West right-of-way of Finney Road; thence on the West right-of-way of Finney Road as follows: South 17 degrees 16 minutes 41 seconds East 173.84 feet; South 18 degrees 45 minutes 34 seconds East 118.50 feet; South 23 degrees 00 minutes 47 seconds East 127.03 feet; and South 33 degrees 15 minutes 56 seconds East 44.47 feet to the point of beginning.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

Schedule of Rates

Rate:

\$33.78 per month.

Taxes:

Any applicable Federal, State and Local taxes computed on the billing basis shall be added as a separate item in rendering each bill.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

Schedule of Service Charges

All accounts are due by the fifteenth (15th) of the month. A ten percent (10%) late fee will be added to all accounts paid after the twenty-first (21st) of the month.

\$2,600 sewer connection fee – includes approved septic tank, approved effluent filter, connection to the sewer main and installation of septic tank. **Does NOT include installation of sewer pipe between the house and the septic tank.** OR \$40 inspection fee if Customer provides relevant components and connection costs as outlined in Rule 11.

If the water meter is disconnected for any reason a \$50.00 reconnection fee will apply.
**This is the reconnection fee approved in the Water Tariff and not an additional charge.

\$25.00 return check charge.

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**Rules and Regulations Governing
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Rule 1 DEFINITIONS

- A. An "APPLICANT" is a person, firm, corporation, governmental body, or other entity which has applied for service or a sewer extension; two or more such entities may make one application for a sewer extension, and be considered one APPLICANT.
- B. "B.O.D" denotes biochemical oxygen demand. It is the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory conditions expressed in milligrams per liter.
- C. A "COLLECTING SEWER" is a pipeline, including force lines, gravity sewers, interceptors, laterals, trunk sewers, manholes, lampholes, and necessary appurtenances, including service wyes, which is owned and maintained by the company, located on public property or on private easements, and used to transport sewage waste from the customer's service connection to the point of disposal.
- D. The "COMPANY" is CALVEY BROOK SEWER INC., acting through its officers, managers, or other duly authorized employees or agents.
- E. A "CUSTOMER" is any person, firm, corporation or governmental body which has contracted with the company for sewer service or is receiving service from company, or whose facilities are connected for utilizing such service.
- F. The "DATE OF CONNECTION" shall be the date the permit for a service connection is issued by the company. In the event no permit is taken and a service connection is made, the date of connection shall be determined based on available information, such as construction/occupancy permits, or water or electric service turn-on dates.
- G. 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.

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- H. "DISCONTINUANCE OF SERVICE" is intentional cessation of the use of sewer service by action of the company not at the request of the customer. Such DISCONTINUANCE OF SERVICE may be accomplished by methods including physical disconnection of the service sewer, or disconnection of water service by the water utility at the request of the company.
- I. "DOMESTIC SEWAGE" is sewage, excluding storm and surface water, resulting from normal household activities; and, "NON-DOMESTIC SEWAGE" is all sewage other than DOMESTIC SEWAGE including, but not limited to, commercial or industrial wastes. (See Rule 6 pertaining to Improper Waste and Excessive Use.)
- J. A "FOUNDATION DRAIN" is a pipe installed inside or outside the foundation of a structure for the purpose of draining ground or subsurface water away from the foundation.
- K. "pH" is the relative degree of acidity or alkalinity of water as indicated by the hydrogen ion concentration. PH is indicated on a scale reading from 1-14, with 7 being neutral, below 7 acid, and above 7 alkaline; more technically defined as the logarithm of the reciprocal of the hydrogen ion concentration.
- L. A "SERVICE CONNECTION" is the connection of a service sewer to the company collecting sewer either at the bell of a wye branch or the bell of a saddle placed on the barrel of the collecting sewer.
- M. A "SERVICE SEWER" is a pipe with appurtenances installed, owned and maintained by the customer, used to conduct sewage from the customer's premises to the collecting sewer, excluding service wyes or saddles.
- N. 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.

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- O. "SUSPENDED SOLIDS" are the insoluble materials suspended or dispersed in waste water, expressed in milligrams per liter on a dry weight basis, as determined by standard procedures.
- P. "TERMINATION OF SERVICE" is the cessation of the use of sewer service requested by the customer. Such TERMINATION OF SERVICE shall be accomplished by a method verified and recognized by the company, and may include physical disconnection of the service sewer, termination or disconnection of water service by the water utility, or the company's observation of non-occupancy of the unit served.
- Q. The word "UNIT", or LIVING UNIT shall be used herein to define the premises or property of a single sewer user, whether or not that sewer user is the customer. It shall pertain to any building whether multi-tenant or single occupancy, residential or commercial, owned or leased. Each mobile home in a mobile home park, 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.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

Rule 2 GENERAL RULES AND REGULATIONS

- A. Every customer, upon signing an application for service or accepting service rendered by the company, 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 the numbered sheets of this tariff. The rates applicable to appropriate class of service are set forth in rate schedules and constitute a part of this tariff.
- C. The company reserves the right, subject to the authority from the Public Service Commission of Missouri, to prescribe additional rates or to alter existing rates or rules as it may deem necessary or proper.
- D. At the effective date of these rules, all new facilities, construction contracts and written agreements shall conform to these rules in accordance with the statutes of the State of Missouri and authority of the Public Service Commission of Missouri. Pre-existing facilities that do not conform with these rules may remain, if said facilities do not cause any service problems and reconstruction is impractical.
- E. The company shall have the right to enter upon the customer's premises for the purpose of inspecting for compliance with these rules. Company personnel shall identify themselves and such inspections shall be conducted during reasonable hours.

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Rule 3 LIMITED AUTHORITY OF COMPANY EMPLOYEES

- A. Employees or agents of the company are expressly forbidden to demand or accept any compensation for any service rendered to its customers except as covered in the company's rules.
- 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 letter or intent of these rules.

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Rule 4 APPLICATIONS FOR SEWER SERVICE

- A. A written application for service, signed by the customer, and accompanied by the appropriate fees as provided in the Schedule of Rates, Service Charges, or Rule 11 - Extension of Collecting Sewers, and other information required by these rules, must be received from each customer before service is provided to any unit. Said application must be filed in writing 24 hours in advance stating the street, house number, name of the applicant, name of the property owner, and the time, at which connection is to be made. The company shall have the right to refuse service for failure to comply with the rules herein, or if the customer owes a past due bill not in dispute for sewer service at any location within the company's service area. In any case where a sewer extension, or unusual construction or equipment expense is necessary to furnish the service, the company may require a contract for service specifying a reasonable period of time for the company to provide the service. If the customer is a tenant, the company shall notify the owner of the property that the owner may be responsible for payment of the sewer service bill.

- B. A prospective commercial or industrial customer shall, upon request of the company, present in writing to the company a list of devices that will discharge to the collecting sewers, the amount and specifications of any discharge, and the location of any buildings. The company will then advise the customer of the form and the character of the wastewater collection facilities available. If a sewer extension as provided for in Rule 11 - Extension of Collecting Sewers will be necessary, or if the customer will be required to own, operate, and maintain a pretreatment facility, the customer will also be so advised.

- C. When sewer charges are based on water usage, the company reserves the right to refuse sewer service to any applicant unless said applicant agrees to install a water meter accessible by the company, so that there will be a basis for sewer charges. The company and customer may agree to an estimated water use amount, on an interim basis for a period not to exceed six (6) months, to allow time to install suitable metering equipment.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

- D. The company will determine or approve the location of the service connection. Service sewers will not be extended along public streets or roadways or through property of others in connecting with collecting sewers. If a service connection is requested at a point not already served by a collecting sewer of adequate capacity, the collecting sewer shall be extended in accordance with Rule 11 - Extension of Collecting Sewers, unless, in the company's judgment such a collecting sewer would serve no other purpose and a service sewer may be constructed to serve the customer's premises in a reasonable manner.
- E. A new service connection shall be authorized when all conditions of Paragraphs A, B, C, and D, above, are met.
- F. When a service sewer is to be connected to the collecting sewer, the plumber employed by the customer shall obtain the connecting accessories from the company. The plumber shall advise the company 24 hours in advance of when he expects to make the connection so a representative of the company can inspect the installation. The company must inspect any connection made by the customer prior to trench backfilling.
- G. No substantial addition to the water using equipment or appliances connected to the sewer system shall be made by commercial or industrial customers except upon written notice to and with the written consent of the company.
- H. Any change in the location of an existing service connection and/or service sewer requested by the customer shall be made at the customer's expense.

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Rule 5 INSIDE PIPING AND CUSTOMER SERVICE SEWER

- A. The customer is obligated to construct, repair, and maintain the service sewer from the collecting sewer to the building. The customer shall notify the company prior to cleaning or repairing the service sewer.
- B. Construction of the service sewer, and connection to the collecting sewer shall be subject to the inspection and approval of the company. No backfill shall be placed until the work has been inspected by the company. In the event the customer or the customer's agent shall damage a wye branch or saddle, or cause damage to the collecting sewer, then the customer shall be responsible for the cost to repair any such damage, including replacement of pipe or appurtenances as necessary.
- C. Plumbing specifications of all governmental agencies having jurisdiction, and the company's rules, in effect at the time of connection must be met. The company may deny service or may discontinue service where foundation drains, downspouts, or other sources of surface or storm water are permitted to enter the sewer system through either the inside piping or through the building sewer.
- D. A separate and independent service sewer shall generally be required for every building. Exceptions are:
- (1) When one building stands at the rear of another building on an interior lot where a proper service sewer cannot be constructed through an adjoining easement. In that situation, the service sewer from the front building may be extended to the rear building and it will be considered as one service sewer.
 - (2) When two or more buildings are a part of a complex that cannot be subdivided.

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**Rules and Regulations Governing
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- E. The service sewer shall be one of the following: ductile iron pipe, vitrified clay sewer pipe (VCP), or polyvinyl chloride pipe (PVC), ASTM specification or equal; or other suitable material approved by the company. Only those jointing materials and methods that are approved by the company may be used. Joints shall be tight and waterproof. Any part of the service sewer that is located within ten (10) feet of a water service pipe shall be constructed of ductile iron or PVC pressure pipe. The pipe shall be bedded according to the manufacturer's specifications, and on undisturbed earth or fill compacted to at least 95% proctor density. Fill may be non-organic soil or aggregate.
- F. The size and slope of the service sewer shall be subject to the approval of the company, but in no event shall the diameter be less than four (4) inches. The slope of such four (4) inch pipe shall not be less than one-eighth (1/8) inch per foot.
- G. Whenever possible the service sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three (3) feet of any bearing wall. The depth shall be sufficient to afford protection from frost. The service sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.
- H. Existing service sewers may be used in connection with new buildings only when they are found on examination and test to meet all requirements of the company.
- I. In any building in which a building drain is too low to permit the required slope of the service sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the service sewer. No water operated sewage ejector shall be used.
- J. All excavations required for the installation of a service sewer and connection to the collecting sewer shall be open trench work unless otherwise approved by the company. Pipe laying and backfill shall be performed in accordance with the latest published engineering specifications of the manufacturer of the materials used, and all applicable local plumbing codes.

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- K. The connection of the service sewer to the collecting sewer shall be made at the wye branch, if such branch is available at a suitable location. If the collecting sewer is vitrified clay pipe of 12" diameter or less and there is no properly located wye branch at a suitable location, a wye branch shall be installed at a location specified by the company. If the collecting sewer is greater than 12" in diameter, or is PVC of any size, a neat hole may be cut at a location specified by the company, and a saddle installed to which the service sewer will be connected. The invert of the service sewer at the point of connection shall be at the centerline or higher elevation of the collecting sewer. The connection shall be secure and watertight. A wye branch or a saddle may be obtained from the company at cost.
- L. Company personnel may not work on piping or facilities not owned by the company unless authorized by the customer.

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Rule 6 IMPROPER OR EXCESSIVE USE

- A. The following requirements for the use of sewer service provided by the company shall be observed. Violation of the requirements will result in the discontinuance of service to the customer or an additional charge where discharge limits are exceeded.
- B. The company may require a customer discharging non-domestic sewage to install a pretreatment facility, grease trap or other device on the premises, to prevent exceedence of discharge limits or other adverse impacts upon the company's system. The installation of any such device as well as its operation and maintenance shall be the responsibility of the customer, and subject to approval and inspection by the company.
- C. No customer shall discharge or cause to be discharged any storm water, surface water, ground water, swimming pool water, roof runoff, sub-surface drainage, or cooling water into the collecting sewers.
- D. The customer shall be required to take any action necessary to meet the following described waste water limits before the wastewater is discharged into the collection sewer:
 - (1) Maximum temperature of 150 degrees Fahrenheit.
 - (2) Maximum strength of 400 parts per million Biological Oxygen Demand (B.O.D.).
 - (3) A maximum of 100 parts per million, by weight, any fat, oil or grease.
 - (4) A maximum of 25 parts per million, by weight, any soluble oils.
 - (5) No gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.

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- (6) No garbage that has not been properly shredded.
- (7) No ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system.
- (8) No waste water having a pH less than 5.0 or greater than 9.0, or having any other corrosive property, capable of causing damage or hazard to structures, equipment or personnel of the company.
- (9) No waste water containing heavy metals, toxic material, or Chemical Oxygen Demand (C.O.D.), in sufficient quantity to disrupt the operation of treatment facilities, or exceeding any limits which may be specified in a service contract for any such substance.

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Rule 7 DISCONTINUANCE OF SERVICE BY COMPANY

- A. The company reserves the right of discontinuance of service for any of the following reasons:
 - (1) For failure to comply with these rules.
 - (2) For nonpayment of the sewer utility bill (see Rule 9).
 - (3) For resale of sewer service.
 - (4) For an unauthorized service connection to the company's collecting sewer.

- B. For purposes of this rule, discontinuance of sewer service for non-payment of a sewer bill may be accomplished by discontinuance of water service by the customer's water utility at the request of the company. In such cases, customers will be notified by the terms of these rules, and not by those of any water utility.

- C. Discontinuance of service to a customer for violation of these Rules 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.

- D. In the event of discontinuance of service by the company for any violation of these rules, then any monies due the company shall become immediately due and payable.

- E. The company reserves the right of discontinuance of service to a customer, or to refuse service to any applicant or for any unit to protect itself against fraud or abuse.

- F. At least thirty (30) days prior to discontinuance of service, the company will mail a written notice to the customer, and to the property owner if different than the customer, by certified mail, return receipt requested, with a copy of the notice sent to the Public Service Commission. Said notice shall state the nature of the violation,

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**Rules and Regulations Governing
the Rendering of Sewer Service**

the amount of money owed if for a past due bill including the amount of any service charges owed, and that service may be discontinued at any time after the expiration of the notice period, provided satisfactory arrangements for continuance of the service have not been made by the customer. The thirty (30) day notice may be waived if there is any waste discharge that might be detrimental to the health and safety of the public, or cause damage to the sewer system. In the event of discontinuance of service without the thirty (30) day notice as above provided, the customer and the Public Service Commission shall be notified immediately with a statement of the reasons for such discontinuance of service. If service is provided to a multi-tenant building or complex, the company will make an effort to notify tenants by door hangars or other type of notice of the possibility of discontinuance of service.

- G. Reconnection of any customer after discontinuance of service by authority of this rule will be made subject to payment of the cost of reconnection.
- H. Where the owner of rental property is the customer and has been notified of the intent of disconnection, the tenants shall be given the opportunity in a reasonable and timely manner to pay delinquent bills in lieu of disconnection of service.
- I. Termination of service at the customer's request may be accomplished at the expense of the customer, as provided in Rule 9 B.

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Date of Issue 11 15 2004
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**Rules and Regulations Governing
the Rendering of Sewer Service**

Rule 8 INTERRUPTIONS IN SERVICE

- A. The company reserves the right to limit sewer service in its collecting sewers at any time, in a reasonable and non-discriminatory manner, for the purpose of making repairs to the sewer system.
- B. Whenever service is limited for repairs, all customers affected by such limitation will be notified in advance whenever it is possible to do so. Every effort will be made to minimize limitation of service.
- C. No refunds of charges for sewer service will be made for limitations of service unless due to willful misconduct of the company.

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Rules and Regulations Governing
the Rendering of Sewer Service

Rule 9 BILLS FOR SERVICE

- A. The charges for sewer service shall be at the rates specified in this tariff, which is on file with the Missouri Public Service Commission and at the company's office. The point of assumption of sewer service shall be at the service connection. Service charges for connection or disconnection are set forth in the Schedule of Service Charges.
- B. A customer who is or has been taking sewer service at one or more units connected to the collecting sewer shall be held liable for payment of any applicable charges for service furnished to such units from the date of connection until the date requested by the customer in writing for service to be terminated, or until service is discontinued by the company. If termination of service must be accomplished by physical disconnection, the customer shall notify the company of the date and time of the disconnect in writing at least five days prior to the disconnection. If termination is accomplished by discontinuance or termination of water service, such notice shall be on or before the date of the water turnoff. Service may not be terminated for one unit of a multi-unit building if the building is served by one service sewer, unless accomplished by discontinuance or termination of water service. The method used for termination of service shall be determined by the company.
- C. Bills for sewer service will be mailed or delivered to the customer's last address as shown by the records of the company, but failure to receive the bill will not relieve the customer from the obligation to pay the same.
- D. Payments shall be made at the office of the company or at a convenient location designated by the company, or by mailing to the company's office.
- E. Separate bills shall be rendered for each location at which sewer service is provided, even though one entity may be the customer at such separate locations.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

- F. The company shall have the right to render bills monthly in advance. Bills shall have the due date indicated on the bill. The company shall have the right to charge customers on a monthly basis in arrears when the sewer charges are based on water usage.
- G. 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.
- H. All bills for sewer service become delinquent after the due date stated on the bill. Service may be discontinued after thirty (30) days written notice by certified mail return receipt requested from the company as provided by Rule 7, Discontinuance of Service by Company.
- I. 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 for the proportionate part of the monthly charge, or where water usage is the basis for the charge, at the appropriate rate for water used. Customers terminating after taking service for less than one month shall pay not less than the monthly minimum.
- J. The owner of the property served will be held responsible for ultimate payment of a bill. Copies of all notices of violations of the rules, or of disconnection of service shall also be sent to the owner of the property.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

Rule 10 SPECIAL CONTRACT FOR EXCESSIVE CAPACITY

A. In the event that the customer to be served proposes to discharge into the company's system an abnormally high volume or strength of waste as to require an enlargement of the company's existing sewage treatment plant or the construction of a temporary sewage treatment plant, and/or the construction or reconstruction of sewer lines or pump facilities, service shall be provided to such customer under the terms and conditions of a mutually satisfactory contract, in a form approved by the Public Service Commission, pursuant to which the cost of such improvements will be financed in such a manner as to be fair and reasonable to both parties and so as not to constitute a burden upon the company or the existing customers of the company.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

Rule 11 **RULES APPLYING TO CUSTOMERS SERVED BY AN ALTERNATIVE
COLLECTION SYSTEM**

A **General**

Any applicable rate schedules as incorporated in these Rules and Regulations and rules not applying specifically to gravity sewers are hereby incorporated by reference and shall be applicable to Customers served by alternative collection systems.

B. **Pressure Collection Piping**

These Rules apply specifically to those Customers served by pressure collection piping. Such collection piping may be associated with a STEP, Grinder Pump System, or other pump system. It also applies to those Customers where the extent of pressure piping may be limited solely to the Customer's service sewer.

- (1) All components utilized in a pressurized system must be either purchased from the Company or meet the specifications approved by the Company, which shall be on file at the Company's office.
- (2) The Customer must furnish at his own expense one individual septic tank, effluent pump system or individual grinder pump system of suitable capacity, which must either be furnished through or approved by the Company prior to installation on the Customer's premises. Installation costs of the STEP or Grinder Pump Systems, electrical service and connecting lines between the dwelling and the STEP or Grinder Pump, and the service sewer between the STEP or Grinder Pump and the Company's collection sewer line shall be the responsibility of the Customer. Electricity costs for pump operation shall be the responsibility of the Customer.
- (3) The Company will locate the point to which the service connection will be made. The Customer shall furnish all materials and install the gravity Customer Service Sewer from the building to the STEP or Grinder Pump, in a pressure Customer Service Sewer to the Company's collecting sewer; or if

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**Rules and Regulations Governing
the Rendering of Sewer Service**

the entire Customer Service Sewer is gravity flow, the Customer shall furnish all materials and install the Customer Service Sewer to the Company's collection sewer. All construction is to be inspected and approved by the Company. Application accompanied by a specified inspection fee as set forth in the Schedule of Service Charges, must be filed in writing forty-eight (48) hours in advance, stating the location, name of applicant, name of property owner and time at which tap is to be made. The Company shall not be required to supply sewer services until such construction has been inspected and approved by the Company's representative. The Customer shall be liable to the Company for any damages to the Company's collecting sewer lines resulting from such work. One connection shall not service more than one property.

- (4) The Company shall provide either directly or through their operations contractor a service availability to all customers for the repair and replacement of the repairable parts within the STEP or Grinder Pump Systems. All parts and labor costs shall be paid for by the Customer.
- (5) The Company shall be authorized to enter the premises of any Customer at any reasonable time for the purpose of inspection or repair of any equipment utilized in sewage conveyance and treatment.
- (6) Company will inspect the STEP system for excess solids retention at no additional expense to the Customer. The removal of retained solids must be contracted for with an independent contractor, approved by the Company, at the expense of the Customer.
- (7) The service sewers from the point of connection to Company owned collecting sewer to the STEP or Grinder Pump System unit and building shall be constructed, owned and maintained by the Customer and are subject to inspection by the Company. These service sewers shall be sized in accordance with the applicable Engineering criteria.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

C. Small Diameter Gravity Piping

These Rules apply specifically to those Customers served by Company owned small diameter gravity collection piping where the Customer utilizes a pretreatment unit (i.e. septic tank) prior to delivering the wastewater to the collection piping.

- (1) The Customer's service sewer must be constructed in accordance with Rule 5.
- (2) The Company will locate the point to which the service connection will be made. The Customer shall furnish all materials and install service sewer from the pretreatment unit to the Company's collecting sewer. All construction is to be inspected and approved by the Company. Application accompanied by a specified inspection fee as set forth in the Schedule of Service Charges, must be filed in writing forty-eight (48) hours in advance, stating the location, name of applicant, name of property owner and time at which tap is to be made. The Company shall not be required to supply sewer services until such construction has been inspected and approved by the Company's representative. The Customer shall be liable to the Company for any damages to the Company's collecting sewer lines resulting from such work. One connection shall not service more than one property.
- (3) The Company shall be authorized to enter the premises of any Customer at any reasonable time for the purpose of inspection or repair of any equipment utilized in sewage conveyance and treatment.
- (4) Company will inspect the pretreatment unit (i.e. septic tank) for excess solids retention at no additional expense to the Customer. The removal of retained solids must be contracted for with an independent contractor, approved by the Company, at the expense of the Customer.

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Certificated Service Area

Rules and Regulations Governing
the Rendering of Sewer Service

- (5) The service sewers from the point of connection to Company owned collecting sewer to the pretreatment unit (i.e. septic tank) and building shall be constructed, owned and maintained by the Customer and are subject to inspection by the Company.

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Certificated Service Area

Rules and Regulations Governing
the Rendering of Sewer Service

Rule 12 EXTENSION OF COLLECTING SEWERS

- A. Collecting sewers will be extended within the company's certificated service area, at the applicant's cost, if service is requested by the applicant at a location where facilities do not exist (the "applicant" is sometimes referred to in this rule as the "original applicant"). The applicant shall enter into a contract with the company. The applicant may choose to have the company perform all work under the terms and conditions of Paragraph C, following, or have a private contractor perform the work under the terms and conditions of Paragraph D, following. For purposes of this rule, an extension could include, in addition to a collecting sewer, one or more pump station or treatment plant facilities, as necessary to provide the service.
- B. The pipe used in making extensions shall be of a type and size that will be reasonably adequate for the area to be served. Such determination as to size and type of pipe shall be left solely to the judgment of the company. If the company desires a pipe size, lift station, treatment plant, or any other facility larger than reasonably required to provide service to the applicant, the additional cost due to larger size shall be borne by the company.
- C. The company will extend collecting sewers for the applicant under the following terms and conditions:
- (1) Upon receipt of written application for service as provided in Rule 4, Applications for Service, the company will provide the applicant an itemized estimate of the cost of the proposed extension. Said estimate shall include the cost of all labor and materials required, including reconstruction of existing facilities if necessary, and the direct costs associated with supervision, engineering, permits, and bookkeeping. Applicable income tax cost calculated at the maximum rate will be added to this estimate.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

(2) The applicant 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 C (1) above, plus any appropriate fees as provided in the Schedule of Rates or the Schedule of Service Charges.

(3) If, as a result of reasonably unforeseen circumstances, the actual cost of the extension exceeds the estimated cost of the extension, the applicant shall pay the additional cost.

D. When the applicant elects to construct an extension, the company will connect said extension to its existing collecting sewers under the following terms and conditions:

(1) Applicant shall enter into a contract with the company that provides that the applicant construct said collecting sewers and/or other facilities to meet the requirements of all governmental agencies and the company's rules. Plans for the extension shall be submitted to the company for approval prior to construction. Applicant's choice of construction contractor is subject to approval by the company. Applicant shall contribute said facilities to the company with a detailed accounting of the actual cost of construction, contribute to the company an amount equal to the company's estimated income tax cost calculated at the maximum rate, and contribute to the company the estimated cost of the company's inspection.

(2) The company, or its representative, shall have the right to inspect and test the extension prior to connecting it to the existing collecting sewers and acceptance of ownership.

(3) Connection of the extension to existing company collecting sewers shall be made only by representatives of the company.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

(4) The company shall have the right to refuse ownership and responsibility for the sewer extension until applicant has met the contractual obligations as provided in Paragraph D (1).

E. The cost to additional applicants connecting to the sewer contributed by the original applicant shall be as follows:

(1) For a single-family residential applicant 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 sewers shall be excluded.

(2) For a single-family residential applicant requesting service to areas that are not platted in subdivision lots, the applicant's cost shall be equal to the total cost of the extension times 100 feet divided by the total length of the extension in feet.

(3) For an industrial, commercial, or multi-family residential applicant, the cost will be equal to the amount calculated for a single-family residence in E (1) above or E (2) above, as appropriate, multiplied by a water usage factor. The water usage factor shall be determined by dividing the average monthly usage in gallons by 7,000 gallons, but shall not be less than 1.

F. Refunds of contributions shall be made to the original applicant as follows:

(1) Should the actual cost of an extension constructed by the company under Paragraph C, or actual costs for inspection by the company under Paragraph D, above, be less than the estimated cost, the company shall refund the difference as soon as the actual cost has been ascertained.

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**Rules and Regulations Governing
the Rendering of Sewer Service**

- (2) After the company has closed its books for the year, in which a contribution was made, it will determine its actual income tax cost associated with each extension and refund any excess income tax costs collected from the applicant.
- (3) During the first ten years after the extension is completed, the company will refund to the original applicant who paid for the extension monies collected from additional applicants in accordance with Paragraph E above.
- (4) The sum of all refunds to the applicant shall not exceed the total contribution, including income tax and inspection costs associated with the extension, which the applicant has paid.
- (5) If two or more entities are considered an original applicant, the refund shall be distributed to each entity based upon the percentage of the actual extension cost contributed by each entity.

G. Any extension made under this rule shall be and remain the property of the company in consideration of its perpetual upkeep and maintenance.

H. The company reserves the right to connect additional extensions to a collecting sewer contributed by the applicant. The connection of new customers to such additional extensions shall not entitle the applicant to any refund.

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