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*ALSO ADMITTED IN
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March 2, 2006

FILED

MAR 06 2006

Missouri Public
Service Commission

Ms. Cully Dale, Secretary
Missouri Public Service Commission
301 West High Street, Room 530
P.O. Box 360
Jefferson City, MO 65102

Re: Case Nos. SA-2005-0297 & SA-2005-0467 - Timber Creek Sewer Company
PSC No. 2 - Tariffs Governing Rendering of Sewer Service

Dear Ms. Dale:

Enclosed for filing find the original and five (5) copies of the following tariff sheets: P.S.C. MO No. 2, Original Title Sheet through Original Sheet No. 31, which cancels all of P.S.C. MO No. 1. of Timber Creek Sewer Company's Rules Governing Rendering of Sewer Service. We are filing same pursuant to the Commission's Report and Order dated January 5, 2006 in the above numbered cases granting Timber Creek a Certificate of Public Convenience and Necessity to serve two areas in Clay County, Missouri.

As you will recall, we previously withdrew an earlier version of P.S.C. MO No. 2 by my letter of February 14th at the request of the Staff due to the fact that they had not made their final review. Such has now been completed.

Please file the original and three (3) copies. Please return the additional copies to me in the self-addressed, stamped envelope once both the Received and Filed stamps are affixed.

Very truly yours,

FINNEGAN, CONRAD & PETERSON, L.C.

By:


Jeremiah D. Finnegan

JDF: ach
Enclosures
cc: Willis Sherry
Office of Public Counsel
Martin Hummel

Timber Creek Sewer Company

RULES GOVERNING RENDERING OF SEWER SERVICE

FOR

CERTIFICATED AREAS IN MISSOURI

Issued by:
Timber Creek Sewer Company
P.O. Box 511
Platte City, Missouri

DATE OF ISSUE: March 6, 2006

DATE EFFECTIVE: April 5, 2006

Name of Utility: Timber Creek Sewer Company

Service Areas: Certificated Areas in Missouri

Rules Governing Rendering of
Sewer Service

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* Indicates new rate or text

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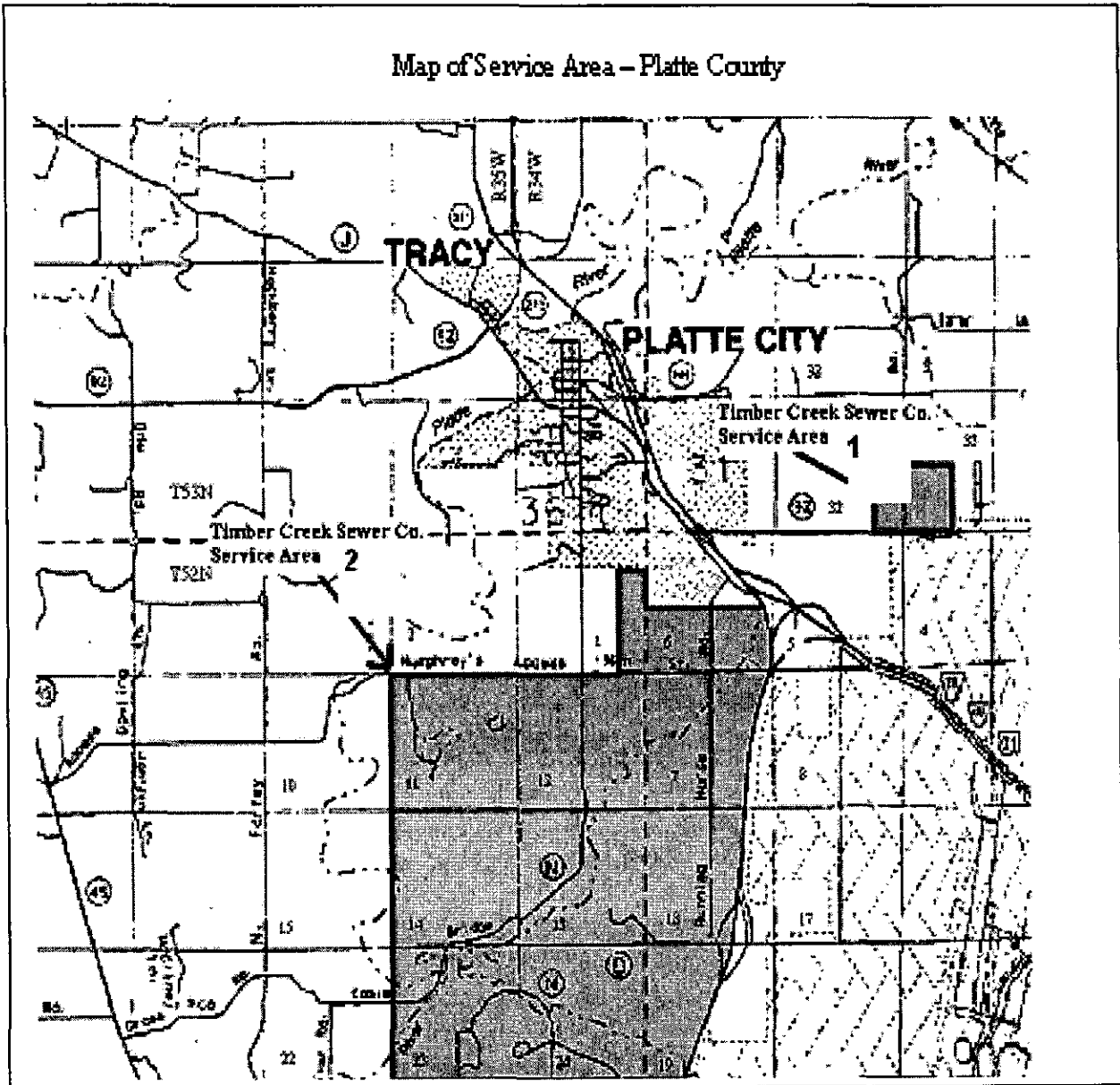
DATE OF ISSUE: March 6, 2006
ISSUED BY: Willis C. Sherry, President

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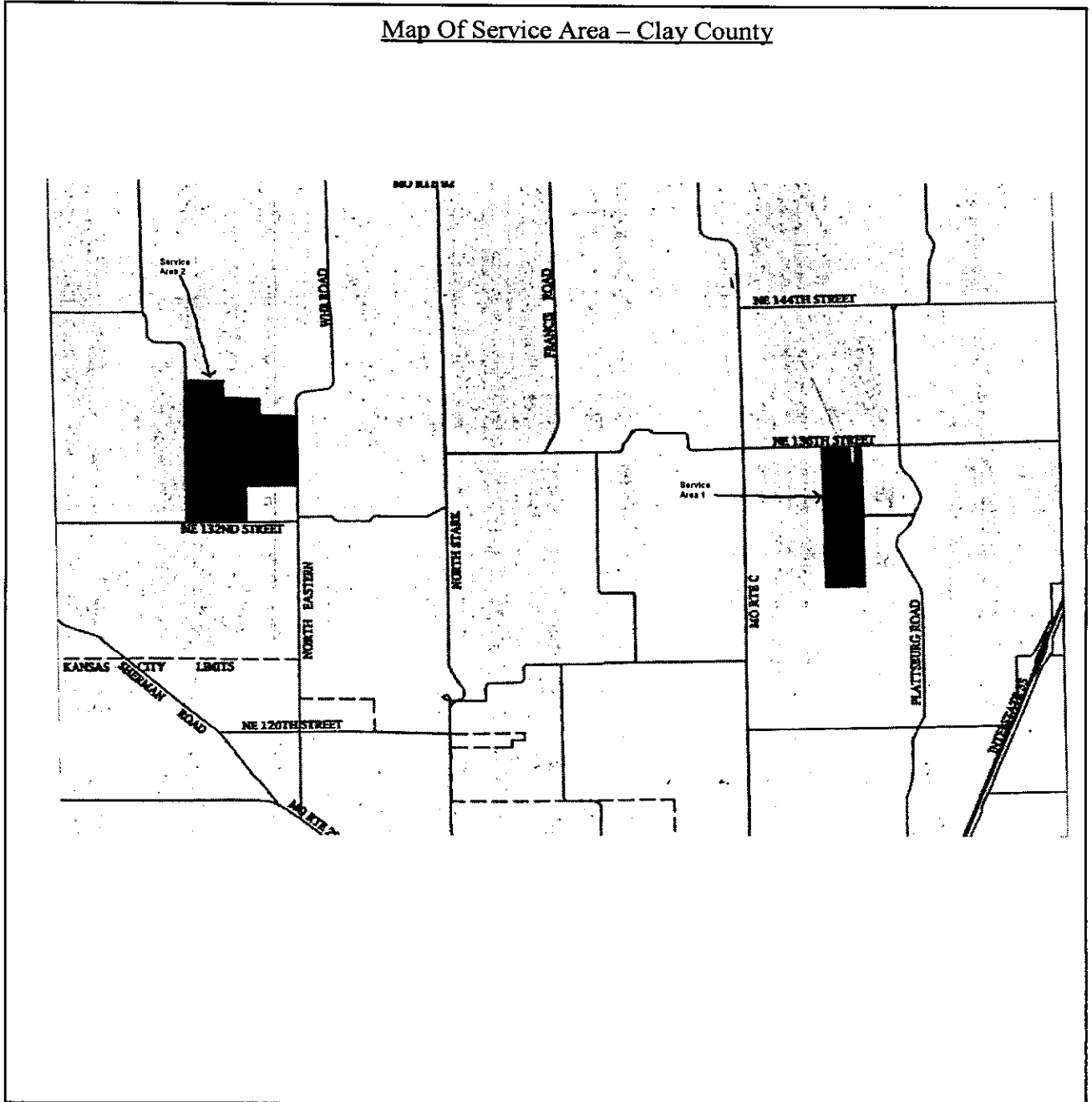
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Map Of Service Area – Clay County



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Legal Description of Service Area – Platte County

Area 1

All of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 32, and all of the Southwest $\frac{1}{4}$ of Section 33, Township 53N, Range 34W, in Platte County, East of Platte City, Missouri.

Area 2

Generally an area South of Platte City and West of Interstate 435, in Platte County, Missouri, More particularly described as Follows:

All of the following property in Township 52N, Range 34W: all of the South $\frac{1}{4}$ of Section 6, located South of Interstate Highway 29 and West of Interstate Highway 435, all of Section 7, located West of Interstate Highway 435, and all of Sections 18 and 19, located West of Interstate Highway 435; and

All of the following property located in Township 52N, Range 35W: all of the East $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 1, all of Sections 11, 12, 13, and 24, and all of Sections 14 and 23, lying east of the Platte River.

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Legal Description of Service Area – Clay County

Area 1

All of a tract of land generally south of 136th Street described as follows: The West ½ of the East ½ of Section 7, Township 52 North, Range 31 West, Clay County, Missouri, Except an area described as Lot 1, Popejoy Acres, a subdivision in Clay County, Missouri

Area 2

All of a tract of land generally North of NE 132nd Street and West of North Eastern Road in Township 52 North, Range 32 West, Clay County, Missouri, described as follows: The East ½ of the Southwest ¼ of Section 4; the South ½ of the Northwest ¼ of the Southeast ¼ of Section 4; The South ½ of the Southeast ¼ of Section 4; the East ½ of the Northwest ¼ of Section 9; and all of the Northeast ¼ of Section 9, except Lots 6, 7, 8, and 9 of Burton Estates, a subdivision in Clay County, Missouri.

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Rules Governing Rendering of
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Schedule of Rates

RESIDENTIAL RATE:

Sewer Service Rate \$26.97/month

Contribution-in-Aid-of-Construction(CIAC) . . . \$1,600/connection
(applicable to the Platte County service area only)

COMMERCIAL RATE:

Sewer Service RateResidential Rates times Sewer Usage Factor (SUF)

Contribution-in-Aid-of-Construction(CIAC)...Residential CIAC times Sewer Usage Factor (SUF)
(applicable to the Platte County service area only)

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Schedule of Service Charges

Any Connection Permit and Inspection Fee:

A fee of \$50.00 Shall be collected when the applicant requests a permit to connect to the company's sanitary sewer system. A fee of \$25.00 shall be collected for each reinspection of an applicant's service connection due to partial installation or failure to comply with the requirements of Rule No. 5 Inside Piping and Customer Service Sewer.

Sewer Extension Plan Review Fee:

A plan review fee Sewer of \$150.00 plus \$0.10 per lineal foot of sewer (8" diameter) and larger will be collected from the Applicant of the review of the proposed sewer extension by the Company. This fee will be paid at the time of the submittal of the plans to the Company.

Commercial and Industrial Building Plan Review Fee:

For the Class 1 Commercial Building, a building plan review fee of \$50.00 shall be collected, prior to the date of any such connection to the Company sanitary sewer system.

For Class 2 Comercial Building, a building plan review fee of \$50.00 plus \$10.00 per 1000 Square feet shall be collected, prior to the date of any such connection to the Company sanitary sewer service system. The Maximum fee will be \$500.00.

For Class 1 Industrial Building, a building plan review fee of \$100.00 plus \$10.00 per 100 square feet shall be collected, prior to the date of any such connection to the Company sanitary sewer system. The Maximum fee will be \$2000.00.

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Schedule of Service Charges (contd.)

Late Charges

Billings will be made and distributed at monthly intervals. Bills will be rendered net, bearing the last date on which payment will then be considered delinquent. The period after which the payment is considered delinquent is 21 days after rendition of the bill. A charge of 10% times the unpaid balance will be added to delinquent amounts.

Bad Check Charge

A charge of \$25.00 per check will be due on all checks returned from the bank for insufficient funds.

Disconnection/Reconnection

The charge for reconnection after service disconnection by the Company for violation of Rule 7 herein shall be the total actual cost of disconnection and reconnection of service.

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Rule 1 DEFINITIONS

“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.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.

“CLASS 1 COMMERCIAL BUILDING” shall mean any structure, buildings, portion of a building or combinations of buildings in the same compound utilized, or to be utilized, by a retail or service business which, on the premises, does not: 1) manufacture any items or products; or 2) prepare and/or serve any types of food products; or 3) provide washing facilities for motor vehicles; or 4) service or repair motor vehicles; or 5) provide overnight accommodations for travelers.

“CLASS 2 COMMERCIAL BUILDING” shall mean any structure, building or portion a building or combinations of buildings in the same compound utilized, or to be utilized, by a retail or service business which, on the premises: 1) prepares and/or serves any types of food products; or 2) provides washing facilities for motor vehicles; or 3) services or repairs motor vehicles; or 4) provides overnight accommodations for travelers.

“CLASS 1 INDUSTRIAL BUILDING” shall mean any structure, building, portion of a building or combinations of buildings in the same compound utilized, or to be utilized, by a single entity whose primary use is for the manufacture, fabrication, processing, storage and/or assembly of any product.

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Rule 1 DEFINITIONS (contd.)

“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.

“COMPANY” is *Timber Creek Sewer Company, acting through its officers, managers, or other duly authorized employees or agents.*

“CONTRIBUTION-IN-AID-OF-CONSTRUCTION” (CIAC) is a contribution by the Customer or developer, to pay for their proportionate share of construction, of the collecting sewers, or treatment facilities that become the property of the Company.

“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.

“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.

“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.

“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.

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Rule 1 DEFINITIONS (contd.)

"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.)

"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.

"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.

"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.

"SERVICE SEWER" is a pipe with appurtenances installed on the customer's property, owned and maintained by the customer, used to conduct sewage from the customer's premises to the collecting sewer, excluding service wyes or saddles.

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Rule 1 DEFINITIONS (contd.)

“SEWER USAGE FACTOR” (SUF) , where usage information is available SUF is calculated by using the sum of the largest 3 months water use, excluding consumptive use like lawn watering and swimming pool, divided by 18,000 gallons rounded to the nearest tenth. The minimum factor is one. Where usage information is not readily available, the SUF shall be determined by the application of the standard equivalent dwelling unit (EDU) attributable to the use of the premises. The minimum unit for each classification of users is one. The number of EDUs attributable to each type of use or user will be calculated in accordance with the Summary of Equivalent Dwelling Units, a copy of which is on file with the Commission and available for inspection in the offices of the company. Such is identical to the Summary of Equivalent Dwelling Units attached as Exhibit 3 to the Sewer Agreement dated August 12, 1999 between company and the City of Platte City, Missouri.

“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.

“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.

“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 nonoccupancy of the unit served.

“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 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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Rule 2 GENERAL RULES

- 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 which 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, Schedule of 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 which 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, including but not limited to a flow equalization tank, 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 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.
- 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.

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Rule 4 APPLICATIONS FOR SEWER SERVICE (contd.)

- 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. The applicant or the applicant's plumbing contractor shall comply with the latest trench safety requirements required by OSHA. The trench shall be adequately braced or sloped back in accordance with OSHA requirements. A commercial quality ladder shall be provided so that the company's inspector can safely access the bottom of the trench excavation. If the trench has caved-in before the inspection by the company, the excess material shall be removed to allow proper inspection of the sewer installation.
- 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, and make the connection to the collecting sewer. 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 cost collecting sewer, then the customer shall be responsible for the cost to repair any such damage, including replacement of pipe or appurtenance 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 which cannot be subdivided.
- 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 which 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. The service sewer shall be constructed in accordance with the Rules and Regulations of the Missouri Department of Natural Resources.

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Rule 5 INSIDE PIPING AND CUSTOMER SERVICE SEWER (contd.)

- 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. A ninety (90) degree bend in the service sewer shall be accomplished by using two (2) forty-five (45) degree bends with a straight section of pipe between the 45 degree bends.
- 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. The trench shall be constructed in accordance with the latest safety requirements required by OSHA. Pipe laying, backfilling, and testing shall be performed in accordance with the latest published engineering specifications of the manufacturer of the material used, all applicable local building codes and the Rules and Regulations of the Missouri Department of Natural Resources.
- K. The connection of the service sewer to the collecting sewer shall be made at the wye or tee branch, if such branch is available. If there is no wye or tee branch available an approved strap-on type saddle may be installed at a location approved by the company. The invert elevation of the service sewer at the point of connection shall be at the centerline or a higher elevation of the collecting sewer. The end of the service sewer shall not extend into the collecting sewer farther than the inside wall. The connection of the service sewer to the wye, tee or saddle shall be secure against movement during backfilling operations and shall be water-tight.

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Rule 5 INSIDE PIPING AND CUSTOMER SERVICE SEWER (contd.)

- 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, naphta, fuel oil, or ther flammable or explosive liquid, solid or gas.
 - (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.

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Service Areas: Certificated Areas in Missouri

Rules Governing Rendering of
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Rule 6 IMPROPER OR EXCESSIVE USE (contd.)

D. (contd.)

- (8) No wastewater 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. 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.
- C. 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.
- D. 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.
- E. 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, 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 which 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.

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Rule 7 DISCONTINUANCE OF SERVICE BY COMPANY (contd.)

- F. Reconnection of any customer after discontinuance of service by authority of this rule will be made subject to payment of the cost of reconnection.
- G. 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.
- H. 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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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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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, 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.
- 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.

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Rule 9 BILLS FOR SERVICE (contd.)

- 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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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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Rule 11 EXTENSION OF COLLECTING SEWERS

- A. Collecting sewers will be extended within the company's certificated service area, at the applicant's cost (sometimes referred to in this rule as the "original applicant"), if service is requested by the applicant at a location where facilities do not exist. 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 which 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.
 - (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. In addition, the applicant shall pay the CIAC charge, as provided in the Schedule of Rates, for each connection proposed to be made to the extension by the applicant; for developers constructing an extension to serve a new subdivision this shall include all lots the extension will serve, whether or not any of the lots have been sold at the time of application; except that in new subdivisions, where the developer has contributed the treatment plant to the company, the CIAC charge, as provided in the Schedule of Rates shall not apply to any of the lots in such subdivision to which the developer has provided treatment capacity. Other charges or fees as provided in the Schedule of Rates or Schedule of Service Charges related to a new connection shall be paid at the time the connection is made.

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Rule 11 EXTENSION OF COLLECTING SEWERS (contd.)

C. (contd.)

- (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 which 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. The applicant shall pay a plan review fee as provided in the Schedule of Rates. 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, and contribute to the company the estimated cost of the company's construction inspection. In addition, the applicant's shall pay the CIAC charge, as provided in the Schedule of Rates, for each connection proposed to be made to the extension by the applicant; for developers constructing an extension to serve a new subdivision this shall include all lots the extension will serve, whether or not any of the lots have been sold at the time of application; except that in new subdivisions, where the developer has contributed the treatment plant to the company, the CIAC charge, as provided in the Schedule of Rates shall not apply to any of the lots in such subdivision to which the developer has provided treatment capacity. Other charges or fees as provided in the Schedule of Rates or Schedule of Service charges related to a new connection shall be paid at the time the connection is made.
- (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 for the extension to existing company collecting sewers shall be made only by representatives of the company.
- (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).

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Rule 11 EXTENSION OF COLLECTING SEWERS (contd.)

- E. The cost to additional applicants connecting to the sewer contributed by the original applicant, except purchasers of property within a subdivision where sewers were contributed by a developer, 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, by the number of lots abutting said extension to determine the per lot extension cost. When counting lots, corner lots which 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 Sewer usage factor.
- 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 the inspection by the company under Paragraph D, above, be less than the estimated cost, the company shall refund the difference as soon as the costs has been ascertained.
 - (2) 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.
 - (3) The sum of all refunds to the applicant shall not exceed the total contribution including inspection costs associated with the extension, which the applicant has paid.

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Rule 11 EXTENSION OF COLLECTING SEWERS (contd.)

F. (contd.)

(4) 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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Rule 12 PRESSURE SEWERS

- A. This rule applies to customers on a pressurized collection system and is not applicable to customers on a gravity collection system. All rules not specifically applicable to gravity flow sewers and services are also applicable.
- B. The company will provide a written application for prospective customers to use to request sewer service, with the application specifying when a pump station is necessary including information regarding a current estimate for the cost to establish service to a specific lot. Installation costs of the pump unit, pump station, control panel, electrical service and the service sewers between the dwelling and the company's collecting sewers are the responsibility of the customer, the developer or the builder. Electricity costs for pump operation shall be the responsibility of the customer.
- C. The company will establish specifications for the construction of the customers' service sewers and pump stations and procedures for connection of the service sewers to its collecting sewers, including the location of the point of connection of the service sewers to the collecting sewers, and will provide such specifications and procedures to the subdivision developers, known builders and service applicants.
- D. The company will take the actions necessary regarding the construction of the collection and treatment facilities to ensure compliance with Commission rule 4 CSR 240-60.020(6), and will maintain records of all such actions taken.
- E. The company will conduct an inspection of the customers' service sewers from the building to the company's collecting sewers, and the customers' pump station installation, to ensure that these facilities are constructed in accordance with its specifications, and will maintain records of all such inspections.
- F. The company will conduct an annual inspection of each pump station at no charge and will conduct one additional customer-requested inspection at no charge during any twelve-month period, and will maintain records of all such inspections.

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Rule 12 PRESSURE SEWERS (contd.)

- G. In all cases of discontinuance of sewer service pursuant to the Company's approved Rules, sewer service may be disconnected by the Company. Service shall not be resumed again except upon payment of all delinquent charges, plus any applicable approved service charge to cover the costs of effectuating resumption of service.
- H. The company will provide information for the customers' use in obtaining assistance on a 24/7 basis when a pump failure occurs.
- I. The company will perform the replacement of the repairable parts on the pump units, including maintaining the necessary inventory of such repairable parts and an inventory of at least one replacement pump for each 50 pumps, or fraction thereof, in service. The company shall not be liable for parts or labor necessary due to damage caused by misuse of the pump unit by the Customer or his agent.
- J. The company will ensure there is timely real estate disclosure to potential lot buyers that sewer service to lots served by pressure sewers requires the installation of a pump station at the customer's cost.
- K. The company will ensure that collecting sewers, whether gravity or pressure sewers, are available to each platted lot in the subject subdivisions, with such collecting sewers to be installed at the developers' cost.
- L. A stopcock shall be placed on the service connection near the property line. Said stopcock shall include a provision for locking. The stopcock will be furnished, owned and maintained by the company. Sewer service may be disconnected by locking the stopcock in the closed position.
- M. The gravity service sewer from the building to the pump station, and the pressure service sewer from the pump unit to the customer's property line shall be owned and maintained by the Customer. The Customer shall also install a check valve near the property line. The Customer shall notify the company of any malfunction in the operation of the sewer system serving Customer.

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Rule 12 PRESSURE SEWERS (contd.)

- N. In the event that the customer or the customer's agent shall damage the pump, pump station, station, control panel or any appurtenances thereto, the customer shall be responsible for the cost to repair any such damage, including replacement thereof, if necessary.

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