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A T T O R N E Y S A T L A W

**BAYLARD, BILLINGTON
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GORDON R. UPCHURCH
STEVEN L. KAMIENSKI

September 20, 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

FILED

SEP 22 2004

Missouri Public
Service Commission

Re: Village Greens Water Company
Case #WA-2004-0151

Dear Judge Hardy,

Enclosed please find the complete tariff required by item 3 of the Order issued on September 7, 2003, granting Village Greens Water Company a Certificate of Public Convenience and Necessity.

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.

P.S.C. MO No. 1

Village Greens Water Company
Name of Issuing Company

For: Village Greens Water Company District
Certificated Service Area

Tariff Title Page

VILLAGE GREENS WATER COMPANY

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

* Indicates New Rate or Text

+ Indicates Changed Rate or Text

Issue Date: September 22, 2004
Month/Day/Year

Effective Date: October 22, 2004
Month/Day/Year

Issued By: James L. Rice – President
Name & Title of Issuing Officer

960 A Plaza Drive; St. Clair, MO 63077
Company Mailing Address

P.S.C. MO No. 1
Village Greens Water Company
Name of Issuing Company

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Sheet No. 1
For: Village Greens Water Company District
Certificated Service Area

Rules and Regulations Governing
the Rendering of Water Service

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Name and Title of Issuing Officer

960 A Plaza Drive, St. Clair, MO 63077
Company Address

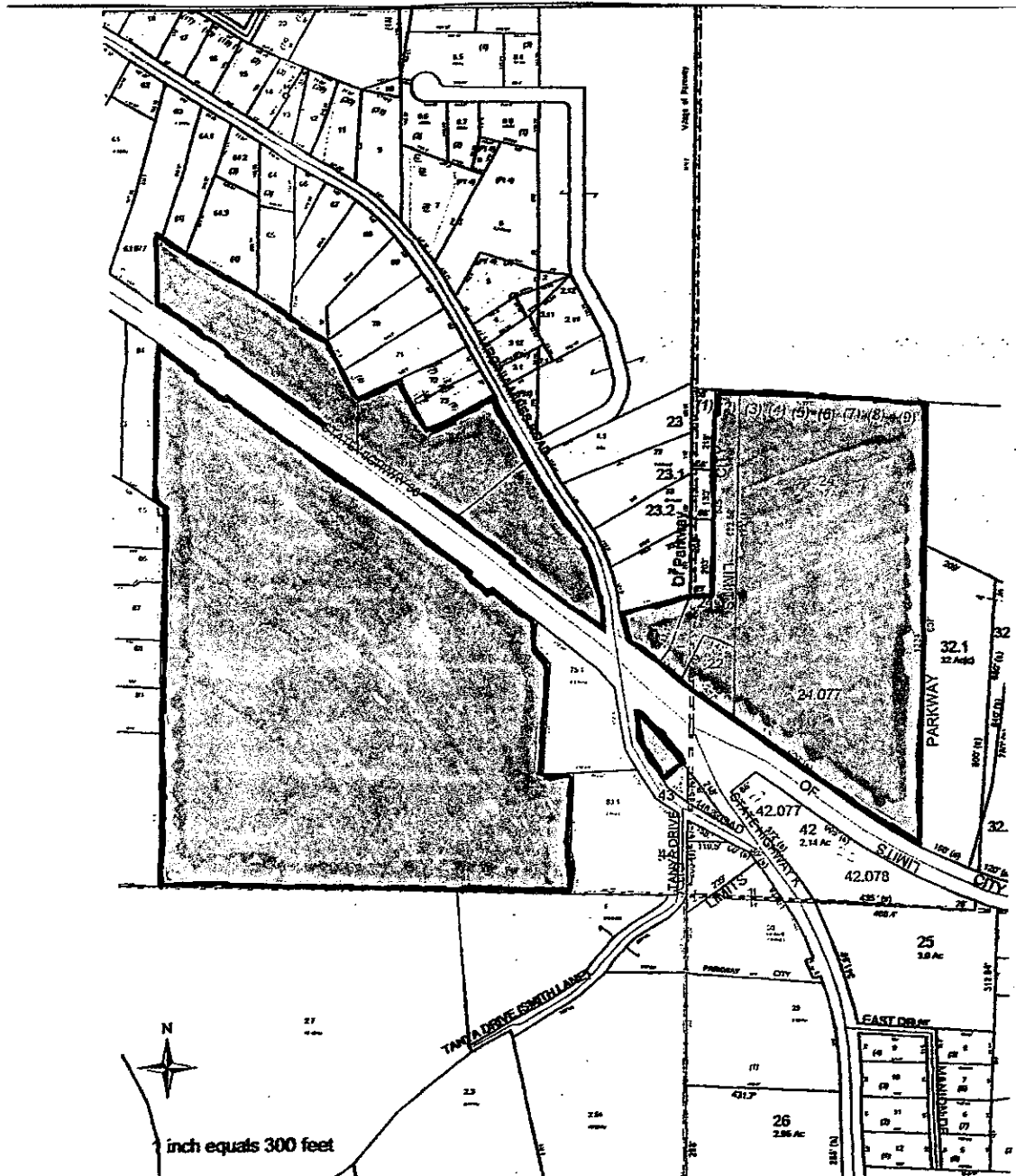
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Sheet No. 2
For: Village Greens Water Company District
Certificated Service Area

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

Map of Service Area



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Sheet No. 3
For: Village Greens Water Company District
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**Rules and Regulations Governing
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Legal Description of Service Area

Parcel 1 – Bk. 1308 Pg. 347

Tract I:

Lots 3 through 9 both inclusive of Ward's Subdivision in part of the South Half of Lot 2 of the Southwest qr. in Section 31, Township 42 North, Range 1 East of the 5th P.M., as per plat of record in Plat Book D Page 77 in the Office of the Recorder of Deeds.

Tract II:

Part of the East half of the Southeast Qr in Section 36, Township 42 North, Range 1 West of the 5th P.M., described as follows: Beginning at the Southwest corner of said tract, thence North 0 degrees 45 minutes West 1,457 feet to the South line of Missouri State Highway No. 30, thence South 55 degrees East along said highway 1,195 feet 6 inches to a point, thence South 0 degrees 30 minutes West 99 feet, thence South 36 degrees East 87 feet, thence South 609 feet 10 inches to the South line of the East half of the Southeast qr., thence South 89 degrees 45 minutes West 1,022 feet to the place of beginning, as surveyed by B. E. Hammer, Registered Land Surveyor, on September 28, 1943. Part of the East half of the Southeast Qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., described as follows: Beginning at the intersection of the North line of Missouri State Highway No. 30 with the west line of said East half of the Southeast qr., thence North on said West line 202 feet, thence South 58 degrees 30 minutes East 514.66 feet to the Southwest corner of Lot 8 of Brown Heights Subdivision, thence South 28 degrees East 178 feet to the Southeast corner of said Lot 8, thence South on the West line of Lot 9 of said subdivision 116.5 feet to the North line of Missouri State Highway No. 30, thence North 55 degrees on said North line 634.5 feet to the point of beginning.

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

Part of the Southeast qr. of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., described as follows: Beginning at a stone in the Southeast corner thereof, thence West along the township line 589 links to a pile of stones, thence North 466 links to the Southwest corner of the church lot, thence East 317 links to the Southeast corner of the church lot, thence continue East to the West line of the Virginia Mines Road, thence Southeastwardly along said road to the East line of said qr. qr. section, thence South on said line 308 links to the place of beginning, excepting a strip 20 feet wide off the East side thereof, and further excepting a tract of land conveyed to Tony L. Collins in Book 1316 Pg. 1125.

Part of the West half of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., described as follows: Beginning at the intersection of the East line of the West half of the Southeast qr. in said section with the South right of way line of Missouri State Highway No. 30, thence Northwestwardly along the south line of said highway 30 feet to the Northeast corner of a parcel now or formerly owned by Lena Lack, thence South along the East line of the Lack parcel 436 feet to the Southeast corner thereof, thence Southeastwardly parallel with the South right of way line of said highway 30 feet to a point in the East line of the West half of the Southwest qr., thence North 436 feet to the point of beginning.

Parcel 2 -- Book 262 pg. 294 & Bk. 262 Pg. 218

Lots 1, 2, 3 and 4.

Lot 9, EXCEPTING therefrom a parcel described as follows: Beginning at the Northwest corner of said Lot 4, run thence South 61 degrees West 60 feet to a point, thence Northwestwardly parallel with the East line of said Lot 9 to a point in the North line of said Lot 9, thence Eastwardly on the North line of said Lot 9 to the Northeast corner of said Lot 9 (being also the Northwest corner of Lot 7), run thence Southeastwardly on the East line of said Lot 9 for 150 feet to the point of beginning.

Also part of Lot 9 on which a well pump house is located near the Northeast corner of said lot with sufficient ground around said pump house so as to clear the same by 2 feet.

All in Brown Heights Subdivision in the East half of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., in the Village of Parkway, as per plat of record in Plat Book F, Page 6.

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Parcel 3 - Book 336 Pg. 122

A parcel of land in the Village of Parkway, being part of the Southeast qr. of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., more fully described as follows, to-wit:

Beginning at a point on the North line of Highway No. 30 at the most Southerly corner of Lot 9 of Brown Heights Subdivision, as per plat of record in Plat Book F, Page 6, in the office of the Recorder of Deeds, run thence North 51 degrees East 254 feet to the South line of the Virginia Mines Road, thence Southeastwardly along the meanders of said road to the North line of said Highway No. 30, thence Northwestwardly along said highway to the place of beginning.

Parcel 4 - Book 1339 Pg. 690

A parcel of land in the Village of Parkway, being part of the East half of the Southeast qr. of Section 36, Township 42 North, Range 1 West of the 5th P.M., described as follows: Beginning at a stone at the Northeast corner thereof, thence South along meridian line 1950 feet to the point of beginning of tract herein described, thence South 73 degrees 30 minutes West 190 feet to a point in the East line of the Virginia Mines Road, thence South 18 degrees East 92 feet 9 inches to the North line of Highway 30, thence South 55 degrees 15 minutes East 108 feet 3 inches to a point, thence North 34 degrees 45 minutes East 59 feet 10 inches to a point, thence North 17 degrees East 163 feet 4 inches to the point of beginning, as surveyed by B. E. Hammer, Surveyor on May 2, 1946.

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Parcel 5 – Book 1339 Pg. 688

Part of the East half of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M. and part of Lots 1 and 2 of Ward Subdivision in part of the South half of Lot 2 of the Southwest qr. in Section 31, Township 42 North, Range 1 East of the 5th P.M., as per Plat Book D, page 77 in the office of the Recorder of Deeds, described as follows: Beginning at an iron bar in the Northwest corner of Lot 2 of Ward Subdivision, thence South 89° 15' 00" East on the North line thereof 68.00 feet to an iron bar in the Northeast corner of said lot, thence South 00° 23' 30" West on the East line of said lot 683.59 feet to an iron bar, thence North 67° 15' 10" West 86.16 feet to an iron rod, thence South 26° 44' 50" West 145.00 feet to an iron rod in the North line of Missouri State Route No. 30, thence North 54° 25' 30" West on the North line of said highway 74.70 feet to an axle, thence North 35° 33' 00" East 59.80 feet to an iron rod, thence North 16° 01' 00" E 162.30 feet to an axle in the East line of Section 36, thence South 01° 05' 50" West on section line 18.68 feet to an iron bar, thence South 89° 15' 00" East 61.10 feet to an iron bar in the East line of Lot 1 of said subdivision, thence North 00° 11' 40" East on lot line 552.00 feet to the point of beginning and according to plat of survey made by David F. Gilbert, Registered Land Surveyor, during the month of June, 1992, containing 1.41 acres, more or less.

Parcel 6 – Book 686 Pg. 889

Part of Lots 1 and 2 of Ward's Subdivision in the Village of Parkway, as per plat of record in Plat Book D Page 77 in the office of the Recorder of Deeds, and part of the East half of the Southeast qr. in Section 36, Township 42 North, Range 1 West of the 5th P.M., in the Village of Parkway, all being described as follows: Beginning at an iron rod in the Southeast corner of Lot 2 of said Ward's Subdivision, thence with the North line of Missouri State Highway No. 30 North 54° 05' 05" West 177 feet to an iron rod, thence North 26° 44' 50" East 145 feet to an iron rod, thence South 68° 05' 20" East 89.42 feet to an iron rod in the East line of said Lot 2, thence South 1° 23' 45" West on the East line of said Lot 2 a distance of 200 feet to the point of beginning, according to plat of survey made by DFG Land Survey Company, during the month of May, 1992.

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P.S.C. MO No. 1
Village Greens Water Company
Name of Issuing Company

Original

Sheet No. 7
For: Village Greens Water Company District
Certificated Service Area

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

Schedule of Rates

Rate:

\$29.59 per month minimum for 3,000 gallons water.
\$2.74 per 1,000 gallons after minimum.

Taxes:

Any applicable Federal, State, or local taxes computed on the billing basis shall be added as separate items in rendering each bill.

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Sheet No. 8
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Rules and Regulations Governing
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Schedule of Service Charges

All accounts are due by the fifteenth of the month. A ten percent late fee will be added to all accounts paid after the 21st of the month.

\$400.00 hook up fee - includes meter pit, lid, and copper setter

\$50.00 reconnect fee

\$25.00 return check charge

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Rules and Regulations Governing
the Rendering of Water Service

Rule 1 DEFINITIONS

- (a) An "APPLICANT" is a person, firm, corporation, governmental body, or other entity that has applied for service; two or more APPLICANTS may make one application for a main extension.
- (b) The "COMPANY" is Village Greens Water Company, acting through its officers, managers, or other duly authorized employees or agents.
- (c) A "CUSTOMER" is any person, firm, corporation or governmental body which has contracted with the company for water service or is receiving service from company, or whose facilities are connected for utilizing such service.
- (d) The "DATE OF CONNECTION" shall be the date of the permit for installation and connection issued by the company. In the event no permit is taken and a connection is made, the date of connection may be the date of commencement of construction of the building upon the property.
- (e) 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.
- (f) "DISCONTINUANCE OF SERVICE" is the intentional cessation of service by the company not requested by the customer.
- (g) The "MAIN" is a pipeline that is owned and maintained by the company, located on public property or private easements, and used to transport water throughout the company's service area.
- (h) The "METER" is a device used to measure and record the quantity of water that flows through the service line, and is installed in the meter setting.
- (i) The "METER SETTING" includes the meter box, meter yoke, lid, and appurtenances, all of which shall be owned and maintained by the company.
- (j) The "SERVICE CONNECTION" is the pipeline connecting the main to the customer's water service line, or outdoor meter setting including all necessary appurtenances. This service connection will be installed, owned, and maintained by the company. If the property line is in a street, the said service connection shall be deemed to end at the edge of the street abutting the customer's property.
- (k) A "SUBDIVISION" is any land in the state of Missouri which is divided or

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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.

- (l) "TERMINATION OF SERVICE" is cessation of service requested by the customer.
- (m) The word "UNIT", or LIVING UNIT shall be used herein to define the premises or property of a single water consumer, whether or not that consumer is the customer. It shall pertain to any building whether multi-tenant or single occupancy, residential or commercial, or 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.
- (n) The "WATER SERVICE LINE" is a pipe with appurtenances installed, owned and maintained by the customer, used to conduct water to the customer's unit from the property line or outdoor meter setting, including the connection to the meter setting. If the property line is in a street, then the water service line shall be deemed to begin at the edge of the street abutting the customer's property.

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P.S.C. MO No. 1
Village Greens Water Company
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Sheet No. 11
For: Village Greens Water Company District
Certificated Service Area

Rules and Regulations Governing
the Rendering of Water Service

Rule 2 GENERAL

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

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Rules and Regulations Governing
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Rule 3 COMPANY EMPLOYEES AND CUSTOMER RELATIONS

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

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Rules and Regulations Governing
the Rendering of Water Service

Rule 4 APPLICATIONS FOR SERVICE

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

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Rule 5 INSIDE PIPING AND WATER SERVICE LINES

- (a) The company will provide water service at the outdoor meter, or at the property line. Separate buildings shall be served through separate water service lines.
- (b) The service connection from the water main to the customer's property line, the meter installation and setting shall be owned and maintained by the company. Water service line construction and maintenance from the property line or meter setting, including the connection to the meter setting, to the building shall be the responsibility of the customer, and is subject to inspection by the company. Customers shall be responsible for the cost of repairing any damage to the company's mains, meters, and meter installations caused by the customer, his agent, or tenant.
- (c) Existing water service lines may be used in connecting with new buildings only when they are found by examination and testing not to constitute a hazard to the health and safety of any customer or the company's facilities.
- (d) The water service line shall be brought to the unit at a depth of not less than 36 inches and have a minimum inside diameter of 3/4 inch. The customer is responsible for the determination of whether or not a larger size is needed to provide adequate flow to the unit. A valve must be installed in the service line where it enters the unit. This valve must be kept in good repair in order to shut off the water supply and drain the inside plumbing, if necessary.
- (e) Water service lines and inside piping shall be of material conforming to recognized standards for potable water service and shall have a pressure rating of at least 160 psi working pressure.
- (f) The company will not install a service connection to a vacant lot.
- (g) Any change in the location of an existing service connection requested by the customer shall be made at his expense.
- (h) The company shall have the right to enter the customer's premises for the purposes of inspection to ensure compliance to these rules. Company personnel shall identify themselves and make these inspections only at reasonable hours.
- (i) Neither water service lines nor service connections may be extended along public streets or roadways or through property of others in connecting with the company's mains. The service connection may, however, extend through the water

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P.S.C. MO No. 1
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For: Village Greens Water Company District
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main easement and roadway easement as necessary in order to be connected to a main located across and adjacent to a street in front of the customer's living unit. The service connection and service line must be laid in a straight line and at right angles to the main and the face of the structure or as nearly so as possible. Any deviation from this because of physical obstruction will be at the discretion of the company.

- (j) Any customer having a plumbing arrangement, or a water-using device that could allow backsiphonage of any chemical, petroleum, process water, water from a questionable supply, or other substance that could create a health hazard or damage to the water system; or, any customer's plumbing classified as an actual or potential backflow hazard in the regulations of the Missouri Department of Natural Resources, 10 CSR 60 - 11, shall be required to install and maintain a backflow prevention device. This rule may also apply to customers on whose premises it is impossible or impractical for the company to perform a cross connection survey. The device, installation, location and maintenance program shall be approved by the company.

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Rule 6 IMPROPER OR EXCESSIVE USE

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

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Rule 7 DISCONTINUANCE OF SERVICE BY COMPANY

- (a) The company may discontinue service for any of the following reasons:
1. Nonpayment of a delinquent account not in dispute.
 2. Failure to post a security deposit or guarantee acceptable to the utility.
 3. Unauthorized interference, diversion or use of the utility service situated or delivered on or about the customer's premises.
 4. Failure to comply with the terms and conditions of a settlement agreement.
 5. Refusal to grant access at reasonable times to equipment installed upon the premises of the customer for the purpose of inspection, meter reading, maintenance or replacement.
 6. Violation of any of these rules on file with and approved by the Public Service Commission, or for any condition which adversely affects the safety of the customer or other persons, or the integrity of the utility's delivery system.
 7. Non-payment of a sewer bill issued by the company, or by a sewer utility requesting discontinuance of water service by an approved agreement between the company and such sewer utility. When water service is discontinued for this reason, any service charges for turn on/off or disconnection/reconnection within these rules shall not apply, and notice to the customer shall be provided by rules and procedure applicable to the customer's sewer service in lieu of notification required by these rules.
- (b) The company may discontinue service after notice by first class mail is sent to the customer at least ten (10) days prior to the date of the proposed discontinuance. If written notice is hand delivered to the customer, it shall be done at least ninety-six (96) hours prior to discontinuance. If the company intends to discontinue service to a multi-tenant dwelling, a notice shall also be conspicuously posted in the building ten (10) days prior to the proposed discontinuance. Service of notice by mail is complete upon mailing. Discontinuance shall not occur more than eleven (11) business days after the date given as the discontinuance date.
- (c) The company shall make reasonable effort to communicate with the customer, at least twenty-four (24) hours prior to any discontinuance, regarding the reasons(s) for discontinuance of service, and the resolution. If discontinuance of service would affect an occupant who is not the company's customer, or is not responsible

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Rules and Regulations Governing
the Rendering of Water Service

for payment of the bill, then the company shall make reasonable effort to inform such occupant(s).

- (d) The company shall postpone the discontinuance if personnel will not be available to restore service the same day, or if personnel will not be available to restore service the following day. The company also shall postpone discontinuance if a medical emergency exists on the premises, however the postponement may be limited to 21 days, and the company may require proof of a medical emergency.
- (e) Discontinuance of service will be made during reasonable hours. Company personnel shall identify themselves and announce the intention to disconnect service, or leave a conspicuous notice of the disconnect.
- (f) The provisions of paragraphs (c) and (e) above may be waived if safety of company personnel while at the premises is a consideration.
- (g) Discontinuance of service to a unit for any reason shall not prevent the company from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the customer.
- (h) In case the company discontinues its service for any violation of these rules, then any monies due the company shall become immediately due and payable.
- (i) The company has the right to refuse or to discontinue service to any unit to protect itself against fraud or abuse.
- (j) The company shall deal with customers and handle customer accounts in accordance with the Public Service Commission's Utility Billing Practices, 4 CSR 240-13.

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Rule 8 TERMINATION OF SERVICE AT CUSTOMER'S REQUEST

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

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Rule 9 INTERRUPTIONS IN SERVICE

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

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Rule 10 BILLS FOR SERVICE

- (a) The charges for water service shall be at the rates specified in the rate schedules on file with the Missouri Public Service Commission. Other service charges, such as for turn-off or turn-on, are set forth in the Schedule of Service Charges in these rules.
- (b) A customer who has made application for water service to a unit shall be responsible for payment for all water service provided to him at said unit from the date of connection until the date requested by the customer by proper notification to the company to terminate service.
- (c) Each customer is responsible for furnishing the company with the correct address. Failure to receive bills will not be considered an excuse for non-payment nor reason to permit an extension of the date when the account would be considered delinquent. Bills and notices relating to the company or its business will be mailed or delivered to the mailing address entered in the customer's application unless the company is notified in writing by the customer of a change of address.
- (d) Payments shall be made at the office of the company or at such other places conveniently located as may be designated by the company or by ordinary mail. However, payment must be received by the close of business on the date due.
- (e) Neither the company nor the customer will be bound by bills rendered under mistake of fact as to the quantity of service rendered or as a result of clerical error. Customers will be held responsible for charges based on service provided.
- (f) A separate bill shall be rendered for each customer with itemization of all water service charges. All bills for service shall state the due date. The company shall have the right to render bills monthly.
- (g) Bills shall be due by the 15th of each month. Bills shall be considered delinquent after 21 days, unless such due date falls on a Sunday, a legal holiday, or other day when the office is closed, in which case the due date shall be extended to the next business day. The company shall have the right to discontinue service in accordance with Rule 7 on accounts unpaid after the delinquent date. The company shall not be required to restore or connect any new service for such delinquent customers until the unpaid account due the company under these Rules and Regulations has been paid in full or arrangements satisfactory to the company have been made to pay said account.
- (h) When bills are rendered for a period of less than a complete billing period due to

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the connection or termination of service, the billing shall be the monthly minimum plus an amount based on the water used at the commodity (water usage) rate or one-half (1/2) of the flat rate if applicable.

- (i) The company may require a security deposit or other guarantee as a condition of new service if the customer: still has an unpaid account with a utility providing the same type of service accrued within the last five years; or has diverted or interfered with the same type of service in an unauthorized manner within the last five (5) years; or is unable to establish a credit rating with the company. Adequate credit rating for a residential customer shall be established if the customer: owns or is purchasing a home; or is and has been regularly employed full time for at least one year; or has an adequate and regular source of income; or can provide credit references from a commercial credit source.
- (j) The company may require a security deposit or other guarantee of payment as a condition of continued service if: the water service of the customer has been discontinued for non-payment of a delinquent account not in dispute; or the utility service to the unit has been diverted or interfered with in an unauthorized manner; or the customer has failed to pay undisputed bills before the delinquency date for five (5) billing periods out of twelve (12) consecutive monthly billing periods, or two (2) out of four (4) consecutive quarterly billing periods.
- (k) The amount of a security deposit shall not exceed utility charges applicable to one (1) billing period plus thirty (30) days, computed on estimated or actual annual usage.

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Rule 11 METERS AND METER INSTALLATIONS

- (a) All permanent service connections shall be metered. The company's installed meter shall be the standard for measuring water used to determine the bill.
- (b) All meters and meter installations shall be furnished, installed, maintained and removed by the company and shall remain its property.
- (c) The company shall have the right to determine on the basis of the customer's flow requirements the type and size of meter to be installed and location of same. If flow requirements increase or decrease subsequent to installation and a larger or smaller meter is requested by the customer, the cost of installing such meter shall be paid by the customer.
- (d) Service to any one customer shall be furnished through a single metering installation. Where a building is occupied by more than one tenant, the building shall be served by one meter. Inside piping may be rearranged at the customer's own expense so as to separate the units and meter tenants, then divide the bill accordingly.
- (e) The meters and meter installations furnished by the company shall remain its property, and the owners of premises wherein they are located shall be held responsible for their safekeeping. For failure to protect same against damage, the company may refuse to supply water until the company is paid for such damage. The amount of the charge shall be the cost of the necessary replacement parts and the labor cost necessary to make the repair.
- (f) The meter will be installed at or near the customer's property line; it shall be placed in a meter box vault constructed by the company in accordance with its specifications. The company shall furnish and install suitable metering equipment for each customer except where installation in a special setting is necessary, in which case the excess cost of installation shall be paid by the customer.
- (g) The customer shall promptly notify the company of any defect in, or damage to, the meter setting.
- (h) Any change in the location of any existing meter or meter setting at the request of the customer shall be made at the expense of the customer, and with the approval of the company.
- (i) If an existing basement meter location is determined inadequate or inaccessible by the company, the customer must provide for the installation of a meter to be

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located at or near the customer's property line. The customer shall obtain from the company, or furnish the necessary meter installation appurtenances conforming to the company's specifications, and said appurtenances and labor shall be paid by the customer.

- (j) Approved meter installation locations in dry basements, sufficiently heated to keep the meter from freezing, may remain provided the meter is readily accessible, at the company's and customer's convenience as determined by the company, for servicing and reading and the meter space provided is located where the service line enters the building. The company may, at its discretion, require the customer to install a remote reading device at an approved location, for the purpose of reading the meter. It is the responsibility of the customer and/or the owner of the premises to provide a location for the water meter, which, in the event of water discharge as a result of leakage from the meter or couplings, will not result in damage. The company's liability for damages to any and all property caused by such leakage shall in no event exceed the price of water service to the affected premises for one average billing period in the preceding year. Where damage is caused by the negligence of company personnel at the premises, this limitation will not apply. If a customer refuses to provide an accessible location for a meter as determined by the company, the company will notify the Executive Secretary of the Public Service Commission before ultimately refusing service or proceeding to discontinue service.

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Rule 12 METER TESTS AND TEST FEES

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

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Rule 13 BILL ADJUSTMENTS BASED ON METER TESTS

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

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Rule 14 EXTENSION OF WATER MAINS

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

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equal to the amount calculated for a single-family residence in paragraphs d(1) or d(2) above multiplied times the flow factors or the applicants' meter. The flow factors of the various sizes of meters are as follows:

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

- (e) Refunds of contributions shall be made to applicant(s) as follows:
- (1) Should the actual cost of the extension be less than the estimated cost, the company shall refund the difference as soon as the actual cost has been ascertained.
 - (2) During the first ten years after the main extension is completed, the company will refund to the applicant(s) who paid for the extension moneys collected from applicant(s) in accordance with paragraph (d) above. The refund shall be paid within a reasonable time after the money is collected.
 - (3) The sum of all refunds to any applicant shall not exceed the total contribution which the applicant(s) has paid.
- (f) Extensions made under this rule shall be and remain the property of the company.
- (g) The company reserves the right to further extend the main and to connect mains on intersecting streets and easements. Connecting new customers to such further extensions shall not entitle the applicant(s) paying for the original extension to a refund for the connection of such customers.
- (h) Extensions made under this rule shall be of company-approved pipe sized to meet water service requirements. If the company chooses to size the extension larger in order to meet the company's overall system requirements, the additional cost caused by the large size of pipe shall be borne by the company.
- (i) No interest will be paid by the company of payments for the extension made by the applicant(s).
- (j) If extensions are required on private roads, streets, through private property, or on private property adjacent to public right-of-way, a proper deed of easement must

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be furnished to the company without cost to the company, before the extension may be made.

- (k) Prior agreement between Mt. Zion Baptist Church and Village Greens Water Company shall govern how extension shall be reimbursed..

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