

P. S. C. MO. No. 1 Original Adoption Notice Sheet No

Cancelling P. S. C. MO. No. 1 Sheet No

AquaSource/CU, Inc. For Missouri Certificated Service Area

Name of Issuing Company

Community, Town or City

Missouri Public
Service Commission

Rules Governing
RENDERING OF WATER SERVICE

REC'D MAR 26 1999

ADOPTION NOTICE

Capital Utilities, Inc. merged with AquaSource/CU, Inc., and will continue under the name AquaSource/CU, Inc., with approval granted in Case No. WM-99-238. Accordingly, AquaSource/CU, Inc. hereby adopts, ratifies, and makes its own, in every respect as if the same had been originally filed by it, all tariffs, schedules, rules, notices or other instruments filed with the Public Service Commission, State of Missouri, under the name Capital Utilities, Inc. currently on file with and approved by the Commission.

* Indicates new rate or text

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Missouri Public
Service Commission

FILED APR 13 1999

Date of Issue March 26, 1999

Date Effective

Issued By: Jim Lahtinen, VP 16810 Barker Springs, Suite B APR 13 1999 TX 77084

Name of Officer

Title

Address

FORM NO. 13

P.S.C.MO. No. 1{ Original } SHEET No. W 1

{ Revised }

Cancelling P.S.C.MO. No. _____

{ Original }

SHEET No. _____

{ Revised }

Capital Utilities, Inc.
Name of Issuing CorporationFor Pettis County
Community, Town or City
Water Division
Water Division

Rules and Regulations

Governing Rendering of Service

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APR 27 1992

MISSOURI
Public Service CommissionCAPITAL UTILITIES, INC.
Water Division
Jefferson City, MissouriSERVICE AREA DEFINITION
SCHEDULE OF RATES
SCHEDULE OF SERVICE CHARGES
RULES AND REGULATIONS

FILED

MAY 27 1992

92 - 195

MO. PUBLIC SERVICE COMM.

*Indicates new rate or text
+Indicates changeDATE OF ISSUE April 27, 1992
month day yearDATE EFFECTIVE May 27, 1992
month day yearISSUED BY Milton E. Leeds

name of officer

Milton E. Leeds

President, P.O. Box 7017, Jefferson City, MO

title

address

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City _____

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

~~FEB 25 1998~~

MISSOURI
Public Service Commission

Water Division

Sheet No.

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ISSUED BY—GARAH F. HELMS, PRESIDENT, P.O. BOX 7017, JEFFERSON CITY, MO. 65102
name of officer title address

NON SCANABLE MAP

Cancelling P.S.C.MO. No.

CAPITAL UTILITIES, INC.

For MISSOURI CERTIFICATED SERVICE AREA

Name of Issuing Corporation

Community, Town or City

WATER DIVISION

RULES AND REGULATIONS GOVERNING

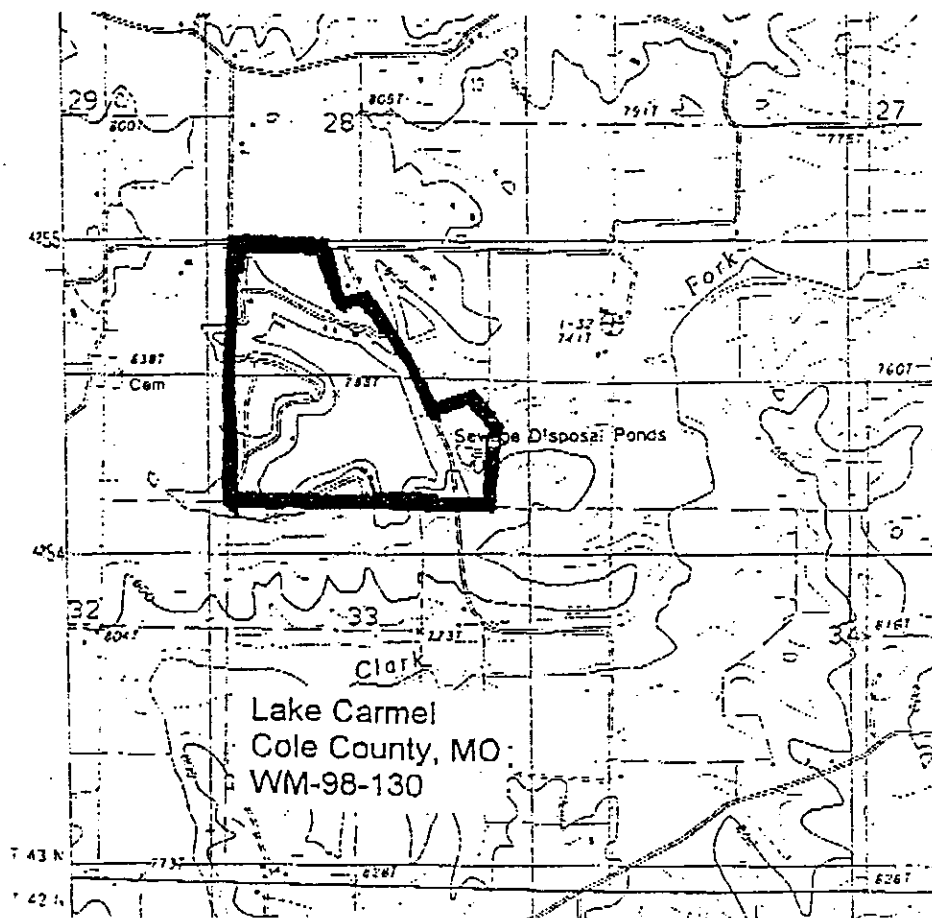
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MISSOURI
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MAP OF SERVICE AREA



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~~Revised~~Capital Utilities, Inc.
Name of Issuing CorporationFor Pettis County

Community, Town or City

Water Division

Rules and Regulations

Governing Rendering of Service

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LEGAL DESCRIPTION OF SERVICE AREA

MISSOURI

A PART OF PETTIS COUNTY, Missouri, more particularly described as follows:

Beginning at the intersection of the West line of Section 8 in Township 45 North of Range 20 West of the Fifth Principal Meridian in Pettis County, Mo., and the South Right of Way line of the Missouri Pacific Railroad, Thence South along the West line of said Section 8 3,515 feet to a Hedge line, Thence East along said Hedge line 980 feet, Thence North 2,663.5 feet, Thence East 1,632 feet, Thence North 771 feet to the South Right of Way line of said Missouri Pacific Railroad, Thence in a Northwesterly direction along the south Right of Way line of said Missouri Pacific Railroad to the place of beginning, excepting that part deeded and used for road purposes.

Beginning at the intersection of the East line of Section 7 in Township 45 North of Range 20 West of the Fifth Principal meridian in Pettis County, Missouri, and the South Right of Way line of the Missouri Pacific Railroad, Thence South along the East line of said Section 7 4,827 feet to the Southeast corner of said Section 7, Thence West along the South line of said Section 7 3,990 feet to the West line of Lot 1 of the Southwest Quarter of said Section 7, Thence North along the West line of said Lot 1 1,335 feet to the North line of Lot 1 of the said Southwest Quarter, Thence East along the North line of Lot 1 of said Southwest Quarter 1,341 feet to the East line of said Lot 1 of the Southwest Quarter, Thence North along the West line

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name of officerPresident, P.O. Box 7017, Jefferson City, MO
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Milton E. Leeds

FORM NO. 13

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Capital Utilities, Inc.
Name of Issuing CorporationFor Pettis CountyCommunity, Town or City
Water Division

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APR 27 1992

Rules and Regulations
Governing Rendering of Service

MISSOURI

Public Service Commission

LEGAL DESCRIPTION OF SERVICE AREA (continued)

of the Southeast Quarter and the Northeast Quarter of said Section 7 3,602 feet to the South Right of Way line of said Missouri Pacific Railroad, Thence in a Southeasterly direction along the South Right of Way line of said Missouri Pacific Railroad 2,619 feet to the place of beginning. Excepting that part deeded and used for road purposes.

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Milton E. Leeds

Cancelling P.S.C.MO. No. _____

{ Original } SHEET No. _____
{ Revised }CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION**RECEIVED**

RULES AND REGULATIONS GOVERNING

FEB 25 1998

RENDERING OF SERVICE

MISSOURI
Public Service CommissionLEGAL DESCRIPTION OF SERVICE AREA (continued)

INCLUDING THE AREA WITHIN COLE COUNTY which includes the present service area of the Lake Carmel Development Company, Inc., the area described as follows:

Part of the Southeast Quarter of the Southwest quarter and part of the Southwest quarter of the Southeast quarter of Section 28; the Northeast quarter of the Northwest quarter and part of the Northwest quarter of the Northeast quarter of Section 33; all in Township 43 North, Range 13 West, Cole County, Missouri, and all of which is more particularly described as follows:

Beginning at the southeast corner of the Northwest quarter of the Northeast quarter of said Section 33; thence South 85 degrees 36 minutes 31 seconds west, along the south line of said quarter quarter and along the south line of the Northeast quarter of the Northwest quarter 2,643.64 feet, to the southwest corner of the said Northeast quarter of the Northwest quarter, thence North 4 degrees 28 minutes 26 seconds west, along the west line of said quarter quarter and along the west line of the Southeast quarter of the Southwest quarter of Section 28, 2,682.88 feet, to the northwest corner of the said Southeast quarter of the Southwest quarter of Section 28; thence North 85 degrees 33 minutes 34 seconds east, along the quarter quarter section line 923.21 feet, more or less, to the northwesterly

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name of officer

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address

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION**RECEIVED**

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RENDERING OF SERVICE

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MISSOURI
Public Service CommissionLEGAL DESCRIPTION OF SERVICE AREA (continued)

corner of a tract conveyed to Fred C. Nichols and wife, by deed of record in Book 224, page 628, Cole County Recorder's Office; thence South 25 degrees 34 minutes 20 seconds east, along the westerly line of the said Nichols tract, 674.40 feet, to the south-westerly corner thereof; thence North 56 degrees 48 minutes east, along the southerly line of the said Nichols tract, 216.69 feet, to the centerline of a County Road; thence South 42 degrees 30 minutes 19 seconds east, along the centerline of said road, 50 feet; thence continuing along the said centerline of the road, South 39 degrees 00 minutes 26 seconds east, 779.48 feet, thence continuing along the said center line of the road, South 28 degrees 53 minutes 26 seconds east, 587.95 feet, to the northwesterly corner of a tract described in deed of record in Book 224, page 383, Cole County Recorder's Office, thence leaving the centerline of said County Road, North 61 degrees 04 minutes 34 seconds east, along the north westerly line of said tract, 352.65 feet; thence South 46 degrees 29 minutes 26 seconds east, along the northeasterly line of said tract, 366.0 feet, to the quarter Section line; thence South 4 degrees 44 minutes 26 seconds east, along the quarter Section line, 817.32 feet, to the point of beginning. Containing 118.72 acres, more or less. Bearings are Magnetic.

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREACommunity, St. LouisWATER DIVISION**RECEIVED**

RULES AND REGULATIONS GOVERNING

FEB 25 1998

RENDERING OF SERVICE

MISSOURI
Public Service CommissionSCHEDULE OF RATES

A. Application - The following monthly water service charges will be in effect for Customers of Capital Utilities, Inc., located within the Company's Pettis and Cole Counties, Missouri service areas.

Monthly Service Charge - The following minimum monthly service charges must be paid regardless of the quantity of water used.

<u>METER SIZE</u>	<u>SERVICE CHARGE</u>
5/8"	\$ 2.95
3/4"	4.43
1 "	7.38
1 1/2"	14.77
2 "	23.63
3 "	44.30

Commodity Charge

Residential	\$1.45/1,000 gallons of usage
Commercial & Industrial	\$2.31/1,000 gallons of usage

All applicable Federal, State, and local taxes shall be added in addition to the above charges.

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name of officer title address

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

FEB 25 1998

MISSOURI
Public Service CommissionSCHEDULE OF SERVICE CHARGES

A. Application - The following water service charges will be in effect for Customers of Capital Utilities, Inc., located within the Company's Pettis and Cole Counties, Missouri service areas.

Meter Test	\$ 25.00
Connection Fee	\$300.00
Turn-on	\$ 10.00
Turn-on & Turn-off (After hours)	\$ 20.00

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

FEB 25 1998

MISSOURI
Public Service CommissionRule 1 DEFINITIONS

- (a) An "APPLICANT" shall be a potential Customer requesting water services from the Company through a service connection.
- (b) An "APPLICATION FOR SERVICE" is a written request by a potential Customer requesting water service. The application form will be prepared by and available from the Company.
- (c) A "BACKFLOW PREVENTION ASSEMBLY (BPA)" is a device approved by the Missouri Department of Natural Resources to prohibit the reverse flow of water.
- (d) The "BILLING PERIOD" shall be defined as the time frame for which water service is provided or taken, and for which compensation to the Company is expected.
- (e) The term "COMMERCIAL CUSTOMER" shall designate:
- (1) A retail or service business utilizing any building, portion of a building or combination of buildings in the same compound, which does not manufacture any item or items on the premises.
- (2) A hotel, motel, tourist court, or recreational vehicle park which rents or leases rooms or spaces to tenants.
- (f) The "COMPANY" is Capital Utilities, Inc. of Jefferson City, Missouri acting through its officers, managers, operations contractor, or other duly authorized employees or agents.

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA
Community, Town or CityWATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

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MISSOURI
Public Service CommissionRule 1 DEFINITIONS (continued)

(g) A "CROSS CONNECTION" is any actual or potential connection or structural arrangement between the Company's system and any other source or system through which it is possible to introduce into any part of the public water system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices through which, or because of which, backflow can or may occur are considered to be cross connections.

(h) The "CUSTOMER" is any person, individual, partnership, association, corporation or governmental body which has contracted with the Company for water service to a unit or is receiving water service from the Company to a unit, or whose facilities are connected for utilizing water service to a unit.

(i) The "DATE OF CONNECTION" shall be the date the application for service connection is issued by the Company. In the event no application is filed and a service connection is made, the date of connection shall be determined by the Company based on available information, such as construction/occupancy permits, or sewer or electric service turn-on dates.

(j) A "DEVELOPER" shall mean a person or group of persons who has or intends to sell two (2) or more lots, parcels or tracts of land to

*Indicates new rate ~~other~~ for the purpose of construction
+Indicates change thereon any type of building.

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name of officer title address

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Cancelling P.S.C.MO. No. 1 Revised SHEET No.
Original
Revised

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

FEB 25 1998

RENDERING OF SERVICE

MISSOURI
Public Service Commission

Rule 1 DEFINITIONS (continued)

- (k) A water system "EXTENSION" may refer to either continuation of piping or an addition to the existing Company owned system, reconstruction, or the construction of an entirely new water supply and distribution system.
- (l) The term "INDUSTRIAL CUSTOMER" is a single entity utilizing any building, portion of a building or combination of buildings in the same compound and whose primary use is for the manufacture, fabrication, and/or assembly of any product.
- (m) "INSPECTOR" is a duly authorized officer, manager, employee or agent of the Company, qualified by appropriate education, experience and training to inspect new construction, modifications and connections to the Company's collecting sewers and treatment systems
- (n) A "MAIN" is a pipeline which 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.
- (o) The "METER" is a device used to measure and record the quantity of water that flows through the water service line; and is installed in the meter setting.
- (p) The "METER SETTING" includes the meter box, meter yoke, lid, and appurtenances, which shall be owned maintained by the Company.

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MO. PUBLIC SERVICE COMMISSION

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ISSUED BY GARAH F. HELMS, PRESIDENT, P.O. BOX 7017, JEFFERSON CITY, MO 65102
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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

FEB 25 1998

MISSOURI
Public Service Commissioner

Rule 1 DEFINITIONS (continued)

- (q) A "MOBILE HOME(S)" shall be defined as a dwelling unit normally mounted on a trailer for the purpose of transporting.
- (r) A "MOBILE HOME PARK" is an area comprised of two (2) or more spaces for the semi-permanent setup of mobile homes.
- (s) A "MULTI-FAMILY DWELLING UNIT" is a building constructed under one roof that is separated into more than one dwelling unit (i.e. duplex, fourplex, etc.)
- (t) The term "RESIDENTIAL CUSTOMER" shall designate the person(s) occupying a building or portion of building in the case of a multi-family dwelling under one (1) roof which is owned, leased, or rented by one (1) party and occupied as a residence.
- (u) The "SERVICE CONNECTION" is the tapping saddle, corporation stop, piping, meter, and meter setting associated with providing water service from the Company's main to the Customer's property line or meter setting location.
- (v) "SUBDIVISION" shall mean the legal dividing of a tract of land into two (2) or more tracts, lots or parcels.
- (w) The Company's "TECHNICAL SPECIFICATIONS" shall consist of the minimum acceptable construction standards for the material and installation practices associated with the installation of water piping and

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M.O. PUBLIC SERVICE BOARD

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

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Rule 1 DEFINITION (continued)

MISSOURI
Public Service Commission

appurtenances and will be available at the Company's office.

- (x) A "TEMPORARY DISCONTINUANCE OF SERVICE" shall be considered any period of time less than twelve (12) months during which a Customer's water service was disconnected or turned off.
- (y) The word "UNIT" shall be used herein to define the individual premises occupied by an entity and shall include any mobile home or any building, whether residential, commercial or industrial, owned or leased and each unit of any multi-unit structure or complex.
- (z) A Customer's "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 said Customer's water service line shall be deemed to begin at the edge of the street abutting the Customer's property.

- (y) The word "UNIT" shall be used herein to define the individual premises occupied by an entity and shall include any mobile home or any building, whether residential, commercial or industrial, owned or leased and each unit of any multi-unit structure or complex.

- (2) A Customer's "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 said Customer's water service line shall be deemed to begin at the edge of the street abutting the Customer's property.

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CAPITAL UTILITIES, INC. For MISSOURI CERTIFICATED SERVICE AREA
Name of Issuing Corporation Community, Town or City
WATER DIVISION

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FORM NO. 13

P.S.C.MO. No. 1

1ST

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SHEET No. WRR7Cancelling P.S.C.MO. No. 1

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION**RECEIVED**

RULES AND REGULATIONS GOVERNING

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Public Service Commission**

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

RULES AND REGULATIONS GOVERNING

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RENDERING OF SERVICE

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MISSOURI

Public Service Commission

Rule 2 GENERAL

- (a) Every water Customer, upon signing an application for any water service rendered by the Company, or upon taking of water service, shall be considered to have expressed consent to be bound by these rates, Rules and Regulations.
- (b) The Company's Rules and Regulations governing rendering of service are set forth in these numbered sheets. The rates applicable to appropriate class of water service or service areas are set forth in rate schedules and constitute a part of these Rules and Regulations.
- (c) The Company reserves the right, subject to the 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 Missouri Public Service Commission. Preexisting 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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Cancelling P.S.C.MO. No. 1 ~~XXXXXX~~ SHEET No. ~~XXXXXX~~

CAPITAL UTILITIES, INC. For MISSOURI CERTIFICATED SERVICE AREA
Name of Issuing Corporation Community, Town or City
WATER DIVISION

RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

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Public Service Commission

Rule 2 GENERAL (continued)

- (e) The Company shall have the right to enter upon the Customer's premises for the purpose of inspecting for compliance with these Rules and Regulations. Company personnel shall also have the right to enter the Customer's property or premises for the purpose of terminating service to that Customer. Company personnel shall identify themselves and such inspections or shut-offs shall be conducted during reasonable hours.

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FORM NO. 13 P.S.C.MO. No. 1 1ST Original SHEET No. WRR 10
Cancelling P.S.C.MO. No. 1 Revised SHEET No.
Original
Revised

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

FEB 25 1998

MISSOURI
Public Service Commissioner

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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CAPITAL UTILITIES, INC.

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Rule 4 APPLICATIONS FOR SERVICEMISSOURI
Public Service Commission

- (a) A written application for service, signed by the Customer, stating the type of service required and accompanied by the appropriate fees as provided in the Schedule of Service Charges and any other pertinent information, will be required from each Customer before service is provided to any unit. Every Customer, upon signing an application for 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 14 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.
- (d) In the event of a change in ownership of, or lease to use the premises, such subsequent owner, lessee must make application for service to the Company. The former owner or

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{~~XXXXXX~~SHEET No. CAPITAL UTILITIES, INC.

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Public Service Commission

Rule 4 APPLICATIONS FOR SERVICE (continued)

Customer shall remain liable for all water charges against the service until he shall has given notice of discontinuance in writing to the Company.

- (e) If a Customer whose service has been discontinued for non-payment of bills or for violation of or failure to comply with any of the regulations of the Company desires a reconnection, such reconnection may be made only after the Customer (a) has paid all unpaid water bills owing for the Company, (b) has paid a reconnection fee as provided in the Schedule of Service Charges and (c) has corrected any condition found in violation of these Rules and Regulations.

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MISSOURI
Public Service CommissionRule 5 INSIDE PIPING AND CUSTOMER WATER SERVICE
LINES

- (a) The Company will provide the Customer water service at the outdoor meter or at the property line. Separate units shall be served through separate service lines and meters.
- (b) The Service Connection from the water main to the Customer's property line, the meter installation and setting shall be constructed, owned and maintained by the Company. 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 lines, 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, and comply with all Rules in effect at the time of application for service.

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Public Service Commission

Rule 5 INSIDE PIPING AND CUSTOMER WATER SERVICE
LINES (continued)

- (d) The Customer's water service lines shall be brought to the unit at a depth of not less than thirty-six (36) inches and have a minimum inside diameter of 3/4 of an inch upon entering the building. The service line shall be valved. This valve must be kept in good repair in order to shut off the water supply and drain the inside plumbing, if necessary.
- (e) The Customer's 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 purposes of inspection to ensure compliance to these Rules and Regulations. The Company personnel shall identify themselves and make these inspections only at reasonable hours.

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CAPITAL UTILITIES, INC.

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Rule 5 INSIDE PIPING AND CUSTOMER WATER SERVICE
LINE (continued)

- (i) Neither Customer's water service lines nor the service connection may be extended along public streets or roadways or through property of others in connecting with the Company's mains, except where the service connection is in the water main easement in order to be connected directly to the main. 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 solely 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, shall be required to install and maintain a backflow prevention assembly. 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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Public Service Commissioner

Rule 6 IMPROPER OR EXCESSIVE USE

- (a) No Customer shall be wasteful of the water supplied to his premises by his willful action or inaction. It shall be the responsibility and duty of each Customer to maintain all piping and fixtures at his 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) No Customer shall 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) No Customer shall 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.

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Rule 6 IMPROPER OR EXCESSIVE USE (continued)

- (e) No Customer shall 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.
- (g) Motor vehicle washing, lawn and garden sprinkling or watering, or other excessive use of water may be regulated or prohibited by the Company.

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MISSOURI
Public Service CommissionRule 7 DISCONTINUANCE OF WATER 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 Company.
3. Unauthorized interference, diversion or use of the Company's service situated or delivered on or about the Customer's premises.
4. Failure to comply with the terms and conditions of a settlement and/or payment agreement.
5. Refusal to grant access at reasonable times to equipment installed upon the premises of the Customer to Company personnel for the purpose of inspection, meter reading, maintenance, or replacement.
6. Violation of any of these Rules and Regulations on file with and approved by the Missouri Public Service Commission, or for any condition which adversely affects the safety of the Customer or other persons, or the integrity of the Company's delivery system.

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MISSOURI
Public Service CommissionRule 7 DISCONTINUANCE OF WATER SERVICE BY COMPANY
(continued)

- (b) The Company may discontinue service after notice by first class mail is sent to the Customer at least six (6) days prior to the date of the proposed discontinuance. If written notice is hand delivered to the Customer, it shall be done at least forty-eight (48) hours prior to discontinuance. Service of notice by mail is complete upon mailing.
- (c) The Company shall make reasonable effort to communicate with the Customer regarding the reason(s) for discontinuance of service, and the resolution. If discontinuance of service would affect an occupant who is not the Company's Customer, or is not responsible for payment of the bill, then the Company shall make reasonable effort to inform such occupant(s) of the matter.
- (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 twenty-one (21) days, and the Company may require proof of a medical emergency.

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Public Service Commissioner

Rule 7 DISCONTINUANCE OF WATER SERVICE BY COMPANY
(continued)

- (e) Discontinuance of service will be made during reasonable hours. Company personnel shall identify themselves and announce the intentions 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) Service may be discontinued immediately anytime there is an immediate threat to the welfare of Customers, or an apparent likelihood of major property damage. Under these circumstances, prior notice to the Customers is not required but notice will be provided by the Company as soon as reasonably possible.
- (h) Discontinuance of service to a unit for any reason shall not prevent the Company from pursuing any lawful remedy by action of law or otherwise for the collection of monies due from the Customer.
- (i) In case the Company discontinues its service for any violation of these Rules and Regulations, then any monies due the Company shall become immediately due and payable.
- (j) The Company has the right to refuse or to discontinue service to any unit to protect itself against fraud or abuse.

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Public Service Commission

Rule 7 DISCONTINUANCE OF WATER SERVICE BY COMPANY
(continued)

- (k) The Company shall deal with Customers and handle Customer accounts in accordance with the Missouri Public Service Commission's Utility Billing Practices, 4 CSR 240-13.
- (l) The Company shall at least twenty-four (24) hours preceding a discontinuance, make reasonable efforts to contact customer to advise him/her of the proposed discontinuance and what steps must be taken to avoid it.
- (m) 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.

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Rule 8 DISCONTINUANCE OF WATER SERVICE AT CUSTOMER'S REQUEST

- (a) Service will be discontinued 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 discontinuance shall be computed and will become due and payable immediately.
- (b) A Customer may request temporary discontinuance 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. Reasonable 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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MISSOURI
Public Service CommissionRule 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. Service charges for connection (turn-on) or disconnection (turn-off) of service are set forth in the Schedule of Service Charges.
- (b) A Customer who has made application for water service to a unit shall be responsible for a payment for all water service provided to him at said unit until the Customer notifies the Company to discontinue service.
- (c) Each Customer is responsible for furnishing the Company with his correct address. Failure to receive bills will not be considered an excuse for nonpayment 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.

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Public Service Commission

Rule 10 BILLS FOR SERVICE (continued)

- (e) The Company will not be bound by bills rendered under mistake of fact as to the quantity of service rendered or as a result of clerical error.
- (f) A separate bill shall be rendered for each Customer with itemization of all water service charges.
- (g) The Company shall have the right to render bills monthly. Bills shall be due twenty-one (21) calendar days from the date of rendition, unless such due date falls on a Sunday, a legal holiday, or other day when the office is closed, in which case the due date shall be extended to the next business day. All bills for service shall state the due date. Bills unpaid after the stated due date will be delinquent and the Company shall have the right to discontinue service in accordance with Rule 7. The Company shall not be required to restore or connect any new service for such delinquent Customers until the unpaid account due the Company under these Rules and Regulations has been paid in full or arrangements satisfactory to the Company have been made to pay said account.

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MISSOURI
Public Service CommissionRule 10 BILLS FOR SERVICE (continued)

- (h) When bills are rendered for a period of less than a complete billing period due to the connection or termination of service, the billing shall be the monthly minimum service charge plus an amount based on the water used at the commodity (water usage) rate. If a flat rate service charge system is applicable, the billing shall be for the proportionate part of the billing period charge.
- (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.

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Public Service Commission

Rule 10 BILLS FOR SERVICE (continued)

- (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 billing periods, or two (2) out of four (4) consecutive months.
- (k) The amount of a security deposit shall not exceed Company charges applicable to one (1) billing period plus thirty (30) days, computed on estimated or actual annual usage.
- (l) Interest at the rate of 6% per annum compounded annually shall be payable on all deposits, but shall not accrue after the Company has made reasonable effort to return the deposit. Interest may be credited to the Customer's account.

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name of officer title address

FORM NO. 13 P.S.C.MO. No. 1 1ST {Original} SHEET No. WRR 28

Cancelling P.S.C.MO. No. 1 {Revised} SHEET No.
{Original} {Revised}

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

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RULES AND REGULATIONS GOVERNING

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**MISSOURI
Public Service Commission**

Rule 10 BILLS FOR SERVICE (continued)

(m) After a Customer has paid proper and undisputed utility bills by the due dates, for a period not to exceed one (1) year, credit shall be established or re-established, and the deposit and any interest due shall be refunded. The Company may withhold full refund of the deposit pending resolution of a disputed matter.

(n) The Company shall give a receipt for deposits received, but shall also keep accurate records of deposits, including customer name, service address, amounts, interest, attempts to refund and dates of every activity regarding the deposit.

(o) All billing matters shall be handled in accordance with the Missouri Public Service Commission's Utility Billing Practices, 4 CSR 240-13.

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CAPITAL UTILITIES, INC.

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MISSOURI
Public Service CommissionerRule 11 METERS AND METER INSTALLATIONS (continued)

- (e) The meter and meter installation furnished by the Company shall remain its property, and the Customer or property owner 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. 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.

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Public Service Commissioner

Rule 11 METERS AND METER INSTALLATIONS (continued)

- (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 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 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 technical specifications, and said appurtenances and labor shall be paid for by the Customer. The completed meter installation shall become the property and maintenance responsibility of the Company.
- (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 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 the Customer's expense at an approved location, for the purpose of reading the meter. It is the

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Rule 11 <u>METERS AND METER INSTALLATIONS</u> (continued)		
<p>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 Secretary of the Missouri Public Service Commission before ultimately refusing service or proceeding to discontinue service.</p>		
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CAPITAL UTILITIES, INC.

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MISSOURI
Public Service CommissionRule 12 METER TEST AND TEST FEES

- (a) The Company reserves the right to remove and test a meter at any time and to substitute another in its place. 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 as noted in Schedule of Service Charges will be made if the test indicates meter accuracy within five percent (5%) in accordance with Missouri Public Service Commission regulation.
- (b) 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 meter manufacturer. A certified copy of the test will be provided to the Customer.
- (c) If a test shall show an average error of more than five percent (5%), billing shall be adjusted as provided in Rule 13 for bill adjustments based on meter test.

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**MISSOURI
Public Service Commission**Rule 13 BILL ADJUSTMENTS BASED ON METER TEST

(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 Missouri 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.

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Rule 13 <u>BILL ADJUSTMENT BASED ON METER TESTS</u> (continued)	
(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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MISSOURI
Public Service CommissionerRule 14 EXTENSION OF WATER SYSTEM

(a) This Rule shall govern the extension of water mains as requested by the Applicant(s) in areas where there are no water mains. Reconstruction of existing facilities necessary to serve additional development is considered an extension for purpose of this Rule. The Company will extend its mains within its certified area to serve new Customers under the following terms and conditions:

(1) 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.

(2) Applicants shall enter into a contract (See Exhibit A) with the Company for the installation of said extension and shall tender to the Company a contribution in-aid-of construction (CIAC) equal to the amount determined in Paragraph (a) (1) above plus the appropriate Customer connection fee provided in the Schedule of Service Charges.

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Rule 14 EXTENSION OF WATER SYSTEM (continued)

(3) The cost to an Applicant(s) connecting to a main extension contributed by other Applicant(s) shall be as follows:

(i) For single-family residential Applicants that are 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 mains shall be excluded.

(ii) For single-family residential Applicants that are applying for service in areas that are unplatted in subdivision lots, the Applicants' cost shall be equal to the total cost of the main extension divided by the total length of the main extension in feet times 100 feet.

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CAPITAL UTILITIES, INC.

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Rule 14 EXTENSION OF WATER SYSTEM (continued)

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

Meter Size	Flow Factor
5/8	1
3/4	1.5
1	2.5
1 1/2	5
2	8
3	15
4	25

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MISSOURI
Public Service CommissionerRule 14 EXTENSION OF WATER SYSTEM (continued)

(4) Refunds of contributions shall be made to Applicant(s) as follows:

(i) 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.

(ii) During the first ten (10) years after the main extension is completed, the Company will refund to the Applicant(s) who paid for the extension moneys collected from Applicants in accordance with Paragraph (3) above. The refund shall be paid within a reasonable time after the money is collected.

(iii) The sum of all refunds to any Applicant(s) shall not exceed the total contribution, which the Applicant has paid.

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MISSOURI
Public Service CommissionRule 14 EXTENSION OF WATER SYSTEM (continued)

- (5) Extensions made under this Rule shall be and remain the property of the Company.
- (6) The Company reserves the right to further extend the main and to connect mains on intersecting streets and easements and Customers connected to such further extensions shall not entitle the Applicant(s) paying for the original extension to a refund for the connection of such Customers.
- (7) Extensions made under this Rule shall be of Company approved pipe sized to meet water service requirements. The minimum size of water main to be installed under this Rule shall be 6-inches inside diameter. Any deviation in this minimum size requirement shall be solely at Company discretion. 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 larger size of pipe shall be borne by the Company.
- (8) No interest will be paid by the Company on payments for the extension made by the Applicant(s).

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Rule 14 EXTENSION OF WATER SYSTEM (continued)

- (9) If extensions are required on private roads, streets, through private property, or on private property adjacent to public right-of-way, a proper deed of easement must be furnished to the Company without cost to the Company, before the extension will be made.
- (b) This Rule shall govern the construction of new supply, treatment, and transmission facilities and/or extension of new water mains requested by a Developer in areas within the Company's certificated service area. Reconstruction of existing facilities necessary to serve additional development is considered an extension for purpose of this Rule.
- (1) A Developer shall enter into a contract (See Exhibit B) with the Company. The contract shall provide that the Developer may construct said water mains to meet the requirements of all governmental agencies and the Company's Rules and Regulations, including the Company's Technical Specifications. The Developer shall contribute said water mains to the Company with a detailed accounting of the actual cost of construction (excluding income taxes).

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Rule 14 EXTENSION OF WATER SYSTEM (continued)

- (2) The pipe used in making extensions under this rule shall be of a type and size which will be adequate to supply the area to be served. The minimum size of water main to be installed under this Rule shall be 6-inches inside diameter except where a smaller size main is determined at the Company's discretion to be adequate. Such determination as to size and type of pipe shall be left solely to the judgement of the Company. If the Company desires a pipe size larger than reasonably required to provide service to the lots abutting said extension area, the additional cost due to larger size shall be borne by the Company.
- (3) The Company, or its representative, shall have the right to inspect and test the water extension prior to connecting it to the Company's water mains.
- (4) Connection of the extension to existing Company water mains shall be made only by a duly authorized representative of the Company.
- (5) The Company shall have the right to refuse ownership and responsibility for the extensions until the Developer has met the contractual obligation provided in Rule 14 (b) (1).

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Rule 14 <u>EXTENSION OF WATER SYSTEM</u> (continued)		
(6) The Company reserves the right to connect future extensions to any water main constructed under this contract.		
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CAPITAL UTILITIES, INC. For MISSOURI CERTIFICATED SERVICE AREA
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MISSOURI Public Service Commission	
EXHIBIT "A"	
EXTENSION AGREEMENT - Individual(s)	
AGREEMENT between Capital Utilities, Inc., P.O. Box 7017, 312 Lafayette Street, Jefferson City, Missouri 65102, a Missouri corporation, hereinafter called the "Company" and _____	
hereinafter called the "Applicant(s)".	
WHEREAS, the Applicant(s) has requested the Company to extend its system for the expressed purpose of providing water service. This extension is to be constructed in accordance with the Company's Technical Specifications and will generally be routed as depicted on the attached plan or plat, referred to as Exhibit No. 1 attached hereto, and made a part of this Agreement; and	
WHEREAS, the Company is willing to make such an extension upon the terms and conditions hereinafter set forth; and	
WHEREAS, the Applicant(s) is willing and desires to assist in the installation of such extension and desires to bear the cost thereof.	
NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, THE PARTIES HERETO AGREE AS FOLLOWS:	
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1. Applicant(s) hereby applies to the Company for the said extension of its system, and the Company agrees to construct the said extension upon the terms and conditions hereinafter set forth.

2. Upon execution hereof, the Applicant(s) shall deposit with the Company the sum of _____

DOLLARS (\$ _____). Such deposit shall be adjusted based upon the determination of the actual cost by Company of facilities installed including water pipe and appurtenances, connection fees, engineering, accounting, and legal expenses plus the cost of obtaining any necessary easements or permits from governmental agencies. If it is necessary to adjust the amount of such deposit, in accordance with the terms of this paragraph, a supplemental memorandum will be prepared setting forth the actual costs and shall be attached hereto and made a part hereof.

3. The Company will use its best efforts to commence and carry to completion as soon as possible the installation of said extension, having in mind, however, delays which may be occasioned by weather, acts of God, strikes, or other matters not within its control.

4. It is further mutually understood and agreed that the water mains and appurtenances

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within the limits of the street, avenues, roads or easement areas, whether or not attached to or serving customers but constructed as part of the extension shall be and remain the property of the Company, its successors. By the terms of this Agreement the Company may further extend or connect water mains in or to other lands, streets, or easements without incurring any liability to Applicant(s) whatsoever.

5. Applicant(s) will, upon the request of the Company, grant to it an exclusive and irrevocable easement, at no cost to Company, for the installation, maintenance, operation, repair and replacement of said water main extension and appurtenances within the limits of any existing or proposed street, roadway, or easement area, together with right of ingress and egress thereto, in form satisfactory to the Company and duly executed and acknowledge in proper form for record. The Company shall also have the right to request additional easement area over property owned by the Applicant(s) for the purpose of future extension of system to provide service to adjacent property.
6. It is further understood and agreed by and between the parties hereto that the Company's agreement to construct the said extension is subject to the Company obtaining all necessary consents, orders, permits, easements, and

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approvals of public officers or public bodies having jurisdiction over or lawful interest in any of the subject matters herein. In the event that the Company, after prompt application and diligent effort, is unable to obtain any necessary consent, order, permit, easement, or approval as aforesaid, or in the event that the Company is enjoined or prevented by lawful action of any such public officer or official body from constructing the said extension, the Company shall have no obligation to the Applicant(s) to proceed with the installation until such time as the aforesaid lawful action shall be resolved.

7. It is agreed by Applicant(s) that he will not build at any time hereafter on, in or over the said easement any structure, the construction or presence of which will endanger or render ineffective or difficult the access to the water mains or appurtenances of the Company, or lay other pipes or conduits within two (2) feet, measured horizontally or ten (10) feet for sewer mains, measured horizontally, from the said water mains except pipes crossing same at right angles in which latter case a minimum distance of eighteen (18) inches shall be maintained between the pipes. No excavation or blasting shall be carried on which in any way endangers the said water mains. Provided, however, that should the Applicant(s) wish to do so, he may at his own expense provide a new location acceptable to the

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name of officer title address

FORM NO. 13 P.S.C.MO. No. 1 1ST {Original} SHEET No. WE 5
{Revised}
Cancelling P.S.C.MO. No. 1 {Original} SHEET No.
{Revised}

CAPITAL UTILITIES, INC. For MISSOURI CERTIFICATED SERVICE AREA
Name of Issuing Corporation Community, Town or City
WATER DIVISION

RULES AND REGULATIONS GOVERNING RENDERING OF SERVICE	
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<p>Company for the said extension and the Company will then move said water main extensions and appurtenances to said new location, and the whole cost of such moving and altering and any expenses incident thereto, shall be borne by the Applicant(s). It is further understood and agreed that in case of any damage by Applicant(s) or caused by neglect of Applicant(s) to the water main extensions or their appurtenances, connection therewith, these facilities will be repaired and brought to proper grade by the Company or Company's contractor at Applicant's expense.</p> <p>8. The Company reserves the right to withdraw this proposal at anytime before it has been accepted by the Applicant(s). In the event it is not accepted and the payment for the water main extension is not in the possession of the Company within sixty (60) days from the date this Agreement is transmitted to the Applicant(s), this proposal will be null and void.</p> <p>9. During the first ten (10) years after the extension is complete, the Company will refund to the Applicant(s) who paid for the extension monies collected from future water users in accordance with the Company's Rules and Regulations on file with the Missouri Public Service Commission. This is intended to insure that future users that connect to said water</p>	
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FORM NO. 13

P.S.C.MO. No. 1 1ST{ ~~Original~~
Revised
Original
Revised }SHEET No. WE 6Cancelling P.S.C.MO. No. 1{ Original
Revised }

SHEET No. _____

CAPITAL UTILITIES, INC.

Name of Issuing Corporation

For MISSOURI CERTIFICATED SERVICE AREA

Community, Town or City

WATER DIVISION

RULES AND REGULATIONS GOVERNING

RENDERING OF SERVICE

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main extensions are assessed a fair share of
the expense associated with the original cost of
the said water main extension.

IN WITNESS WHEREOF, the parties hereto have
agreed to the above conditions as indicated by
their signatures affixed below on this _____
day of _____, _____.

COMPANY

ATTEST:

BY _____

ITS _____

APPLICANT(S)

ATTEST:

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{ Revised }
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{ Revised }

CAPITAL UTILITIES, INC. For MISSOURI CERTIFICATED SERVICE AREA
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EXHIBIT "B"

EXTENSION AGREEMENT - Developer

AGREEMENT between Capital Utilities, Inc., P.O. Box 7017, 312 Lafayette Street, Jefferson City, Missouri 65102, a Missouri corporation, hereinafter called the "Company" and _____

hereinafter called the "Developer".

WHEREAS, the Developer has requested the Company to extend or expand its system for the expressed purpose of providing Water service. This system extension is to be constructed in accordance with the Company's Technical Specifications and will generally be routed as depicted on the attached plan or plat, referred to as Exhibit No. 1 attached hereto, and made a part of this Agreement; and

WHEREAS, the Company is willing to make such an extension upon the terms and conditions hereinafter set forth; and

WHEREAS, the Developer is willing and desires to assist in the installation of such extension and desires to bear the cost thereof.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and agreements herein contained, THE PARTIES HERETO AGREE AS FOLLOWS: FILED

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CAPITAL UTILITIES, INC.

Name of Issuing Corporation

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1. Developer hereby applies to the Company for the said extension of its system, and the Company agrees to construct the said extension upon the terms and conditions hereinafter set forth.

2. Upon execution hereof, the Developer shall deposit with the Company the sum of _____

DOLLARS (\$ _____). Such deposit shall be adjusted, based upon the determination of the actual cost by Company of facilities installed including water pipe and appurtenances, property, connection fees, engineering, accounting, and legal expenses plus the cost of obtaining any necessary easements or permits from governmental agencies or other direct costs. If it is necessary to adjust the amount of such deposit, in accordance with the terms of this paragraph, a supplemental memorandum will be prepared setting forth the actual costs and shall be attached hereto and made a part hereof.

3. The amount required for deposit may be reduced by the construction cost provided by the Developer and accepted by the Company. This may only apply in the specific case where the Developer will be the construction contractor. Such construction cost shall be attached hereto and made a part hereof.

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4. The Company will use its best efforts to commence and carry to completion as soon as possible the installation of said extension, having in mind, however, delays which may be occasioned by weather, acts of God, strikes, or other matters not within its control.
5. It is further mutually understood and agreed that the water mains and appurtenances within the limits of the street, avenues, roads or easement areas, whether or not attached to or serving customers but constructed as part of the extension shall be and remain the property of the Company, its successors and any water mains installed by it pursuant to the terms of this Agreement in or to other lands, streets, or easements without incurring any liability to Applicant(s) whatsoever.
6. Developer will, upon the request of the Company, grant to it an exclusive and irrevocable easement, at no cost to Company, for the installation, maintenance, operation, repair and replacement of said extension and appurtenances within the limits of any existing or proposed street, roadway, or easement area, together with right of ingress and egress thereto, in form satisfactory to the Company and duly executed and acknowledge in proper form for record. The Company shall also have the right

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to additional easement area over property owned by the Developer for the purpose of future extension of system to provide service to adjacent property.

7. It is further understood and agreed by and between the parties hereto that the Company's agreement to construct the said extension is subject to the Company obtaining all necessary consents, orders, permits, easements, and approvals of public officers or public bodies having jurisdiction over or lawful interest in any of the subject matters herein. In the event that the Company, after prompt application and diligent effort, is unable to obtain any necessary consent, order, permit, easement, or approval as aforesaid, or in the event that the Company is enjoined or prevented by lawful action of any such public officer or official body from constructing the said extension, the Company shall have no obligation to the Developer to proceed with the installation until such time as the aforesaid lawful action shall be resolved.

8. It is agreed by Developer that he will not build at any time hereafter on, in or over the said easement any structure, the construction or presence of which will endanger or render ineffective or difficult the access to water mains or appurtenances of the Company, or lay other pipes or conduits within two (2) feet,

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SHEET No.

CAPITAL UTILITIES, INC.

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measured horizontally or ten (10) feet measured horizontally for sewer mains, from the said water mains except pipes crossing same at right angles in which latter case a minimum distance of eighteen (18) inches shall be maintained between the pipes. No excavation or blasting shall be carried on which in any way endangers the said water mains. Provided, however, that should the Developer wish to do so, he may at his own expense provide a new location acceptable to the Company for the said water mains and the Company will then move said water mains and appurtenances to said new location, and the whole cost of such moving and altering and any expenses incident thereto, shall be borne by the Developer. It is further understood and agreed that in case of any damage by Developer or caused by neglect of Developer to the water mains or their appurtenances, connection therewith, these facilities will be repaired and brought to proper grade by the Company or Company's contractor at Developer's expense.

9. It is further mutually understood and agreed by and between the parties hereto that his Agreement is subject to all the requirements of the Company's Rules and Regulations Governing Rendering of Water Service currently on file with the Missouri Public Service Commission be they expressed herein or not. Specifically noted that the Company's definition

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of a water system "extension" may refer to either continuation of piping from existing Company owned water mains or the construction of an entirely new water main system.

10. The Company reserves the right to withdraw this proposal at any time before it has been accepted by the Developer. In the event it is not accepted and the payment for the water system extension is not in the possession of the Company within sixty (60) days from the date this Agreement is transmitted to the Developer, this proposal will be null and void.

IN WITNESS WHEREOF, the parties hereto have agreed to the above conditions as indicated by their signatures affixed below on this _____ day of _____,

COMPANY

ATTEST:

BY _____

ITS _____

DEVELOPER

ATTEST:

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