

Name of Utility: Emerald Pointe Utility Company
Service Area: Missouri Service Area

Rules Governing Rendering of
Water Service

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ISSUED BY: Gary W. Snadon President Branson, MO
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Name of Utility: Emerald Pointe Utility Company

Service Area: Missouri Service Area

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Rules Governing Rendering of
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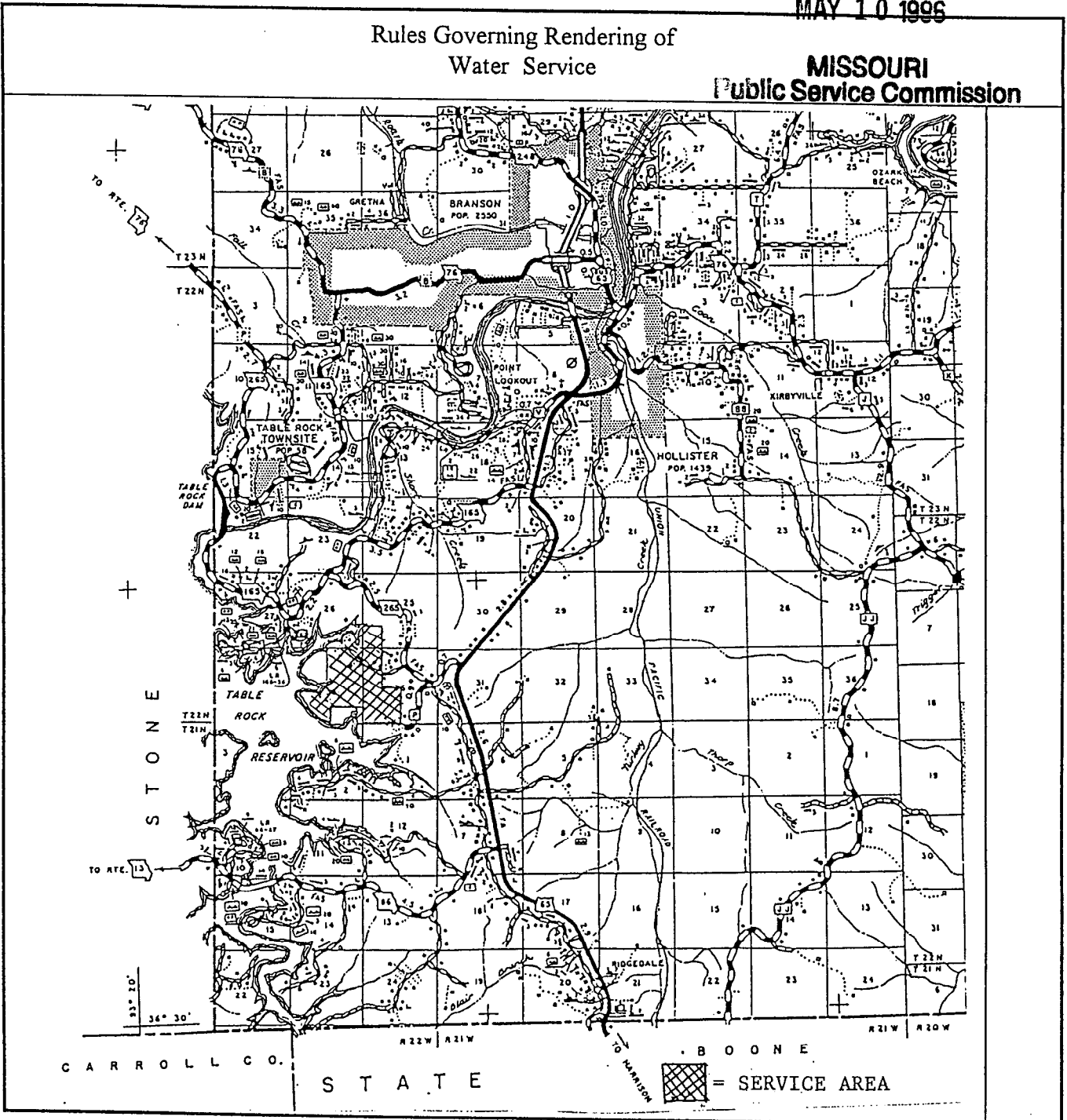
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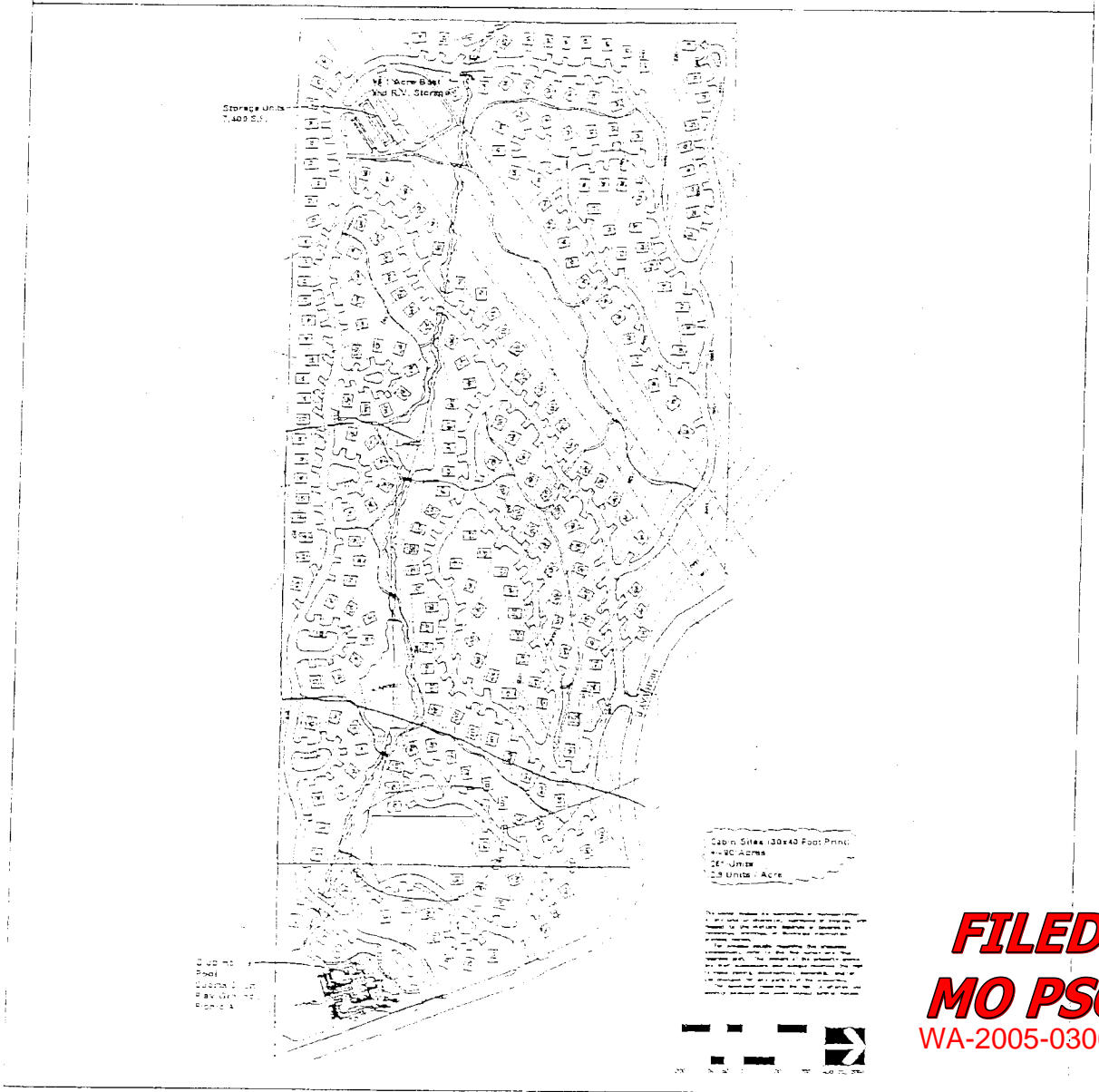
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Rules Governing Rendering of
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Map of Service Area – Branson Canyon



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LEGAL DESCRIPTION OF SERVICE AREA

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Beginning at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 36, Township 22 North, Range 22 West, said point being a Missouri Department of Natural Resources Monument; thence N 88°14'49" W along the South line of said Section 36, 1976.49 feet; thence leaving said South line of Section 36, N 00°54'57" E, 330.06 feet; thence N 88°11'55" W, 660.25 feet to the West line of said Section 36; thence along said West line of Section 36, N 01°10'04" E, 1035.36 feet to a stone, said stone being the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 36; thence N 89°48'37" W, 2622.33 feet to the Northeast Corner of the Southeast Quarter of the Southwest Quarter of Section 35, Township 22 North, Range 22 West; thence along the North line of said Southeast Quarter of the Southwest Quarter of Section 35, N 88°17'38" W, 640.00 feet; thence leaving said line, S 01°57'46" W, 341.35 feet; thence S 55°02'46" E, 315.77 feet, thence S 01°05'46" W, 300.00 feet to a point on the Corp of Engineers take line for Table Rock Lake; thence along said take line N 55°12'46" W, 335.10 feet to Corp of Engineers Monument C 336-4; thence continuing along said take line N 43°05'01" W, 902.48 feet to Corp of Engineers Monument C 336-5/C 334-1; thence continuing along said take line N 24°03'11" W, 388.67 feet to Corp of Engineers Monument C 334-2; thence continuing along said take line N 16°55'32" W, 542.08 feet to Corp of Engineers Monument C 334-3; thence continuing along said take line N 01°01'39" E, 338.01 feet to Corp of Engineers Monument C 334-4; thence continuing along said take line S 60°36'45" E, 376.92 feet to Corp of Engineers Monument C 334-5/C 335-1; thence continuing along said take line S 87°05'13" E, 329.40 feet to Corp of Engineers Monument C 335-2; thence continuing along said take line S 60°49'41" E, 744.75 feet to Corp of Engineers Monument C 335-3; thence continuing along said take line N 27°02'55" E, 751.65 feet to Corp of Engineers Monument C 335-4/C 323-1; thence continuing along said take line N 65°04'15" E, 732.26 feet to Corp of Engineers Monument C 323-2; thence continuing along said take line N 27°35'15" E, 336.47 feet to Corp of Engineers Monument C 323-3; thence continuing along said take line N 87°04'58" W, 832.12 feet to Corp of Engineers Monument C 323-4/C 324-1-1, said monument being on the West line of the Northeast Quarter of said Section 35; thence along said West line of the Northeast Quarter of said Section 35, N 00°13'44" E, 675.77 feet to a stone, said stone being the Southwest Corner of the Northwest Quarter of the Northeast Quarter of Section 35; thence continuing said West line of the Northeast Quarter of Section 35, N 03°21'49" E, 1274.58 feet to Corp of Engineers Monument G 324-2-4/C 322-1, said monument being the Northwest Corner of said Northeast Quarter of Section 35; thence along the North line of said Section 35, S 88°02'47" E, 2646.95 feet to a stone, said stone being the Northeast Corner of said Section 35; thence N 01°43'53" E along the West line of Section 25, Township 22 North, Range 22 West, 1318.98 feet to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 25; thence along the North line of said Southwest Quarter of the Southwest Quarter of Section 25, N 87°56'54" E, 1319.63 feet to the Northeast Corner of said Southwest Quarter of the Southwest Quarter of Section 25; thence S 01°35'33" W, along the East line of said Southwest Quarter of the Southwest Quarter of Section 25, 1314.44 feet to the section line; thence S 01°51'49" W along the West line of the Northeast Quarter of the Northwest Quarter of Section 36; thence S 87°04'10" E along the North line of the Southeast Quarter of the Northwest Quarter of said Section 36, 1326.37 feet to the Northeast Corner of said Southeast Quarter of the Northwest Quarter of Section 36; thence S 01°05'11" W along the East line of West half of said Section 36, 3935.82 feet to the point of beginning.

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title

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Name of Utility: Emerald Pointe Utility Company
 Service Area: Missouri Service Area

Rules Governing Rendering of
 Water Service
 Legal Description of Service Area – Branson Canyon

LEGAL DESCRIPTION OF SERVICE AREA

A tract of land situated in the a part of the NW ¼ of the NE ¼ of Section 1, Township 21 North, Range 22 West, and part of the W ½ of the SE ¼ of Section 36, Township 22 North, Range 22 West, Taney County, Missouri, Being more particularly described as follows:

Beginning at an existing aluminum monument marking the Southwest corner of the W ½ of the SE ¼ of Section 36; Thence North 01°38'25" East, a distance of 2670.34 feet, to an existing stone marking the Northwest corner of the W ½ of the SE ¼ of Section 36; Thence South 86°59'15" East, a distance of 1329.13 feet, to an existing ½ " iron pin marking the Northeast corner of the NW ¼ of the SE ¼ of Section 36; Thence South 01°49'05" West, a distance of 1321.57 feet, to an existing stone marking the Northeast corner of the SW ¼ of the SE ¼ of Section 36; Thence South 01°48'16" West, along the East line of the SW ¼ of the SE ¼ of Section 36, a distance of 425.69 feet to a point on the Northerly right-of-way line M.S.H.D. Route "P"; Along the Northerly and Westerly right-of-way line of M.S.H.D. Rout "P" as follows: Thence South 59°39'29" West, a distance of 34.06 feet; Thence Southwesterly along a 12.8072 degree curve to the left, 321.43 feet (said curve having a radius of 447.37 feet); Thence South 18°23'28" West, a distance of 228.00 feet; Thence Southerly along a 9.3468 degree curve to the left, 273.55 feet (said curve having a radius of 613.00 feet); Thence South 07°10'37" East, a distance of 142.74 feet, to a point on the South line of the SW ¼ of the SE ¼ of Section 36; Thence continuing South 07°10'37" East, a distance of 24.26 feet; Thence Southerly along a 27.4038 degree curve to the right, 284.63 feet (said curve having a radius of 209.08 feet); Thence South 70°49'19" West, a distance of 570.30 feet; Thence South 56°26'26" West, a distance of 80.52 feet' Thence South 70°49'19" West, a distance of 275.37 feet to a point on the Table Rock Lake Government Fee Taking Line; Thence North 24°43'55" West, leaving the North right-of-way line of the road and along the Government Fee Taking Line, a distance of 113.01 feet, to a point on the West line of the NW ¼ of the NE ¼ of Section 1; Thence North 00°56'31" East, along the West line of the NW ¼ of the NE ¼ of Section 1, a distance of 504.17 feet, to the Point of Beginning;

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Emerald Point Utility Company For **Missouri Service Area**

Name of Issuing Company

Community, Town or City

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RULES GOVERNING
RENDERING OF **WATER SERVICE**

+ **MAR 23 2000**

SCHEDULE OF WATER RATES

**MISSOURI
Public Service Commission**

Availability: *

Available to any metered customer located in the Company's certificated service territory.

Water Service Rates:

Monthly Customer Charge (5/8" meter)	\$ 6.52 per Month	+
Monthly Customer Charge (1" meter)	\$10.62 per Month	+
Monthly Customer Charge (2" meter)	\$25.52 per Month	+

Usage Charge (for all usage > 2,000 gal/month) \$ 3.50 per 1,000 gallons +

Monthly Minimum Bill: * Equals the applicable Monthly Customer Charge
The minimum monthly billing shall be billed customers based on this Charge.

Taxes: *

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

Late Payment Charge: *

Billings will be made and distributed at monthly intervals. Bills will be rendered net, bearing the last date on which payment will then be considered delinquent. The period after which the payment is considered delinquent is 21 days after rendition of the bill. A charge of \$3.00 or two percent (2%) per month times the unpaid balance, whichever is more, will be added to delinquent amounts.

Bad Check Charge: *

A bad check charge of \$15 per check will be paid on all checks returned from the bank for insufficient funds.

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MAY 10 2000

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Date of Issue *3/23/00*

Date Effective *5/10/00*

Issued By: **Gary W. Snadon**, President

111 East Main, Branson, MO 65616

Name of Officer

Title

Address

Schedule E - 5

Name of Utility: Emerald Pointe Utility Company

Service Area: Missouri Service Area

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Rules Governing Rendering of
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Schedule of Rates

**MISSOURI
Public Service Commission**

Monthly rate, all meter sizes:

First 2,000 gallons per month: \$8.93

Commodity, per 1,000 gallons: \$2.92

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Rules Governing Rendering of Water Service

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Schedule of Service Charges

New water service 3/4" meter installed	\$ 400	<i>- Actual cost</i>
Reconnect service	\$ 30	
Water meter testing (when applicable)	\$ 50	<i>new</i>
After normal business hours service call (per hour)	\$ 40	

If water meter is installed the minimum monthly service fee is required. *new*

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Name of Utility: Emerald Pointe Utility Company

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Schedule of Service Charges

**MISSOURI
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Connection charge:

Actual cost of material and labor for
the service connection, and the meter.

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Rules Governing Rendering of Water Service

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Rule 1 DEFINITIONS

- (a) An "APPLICANT" is a person, firm, corporation, governmental body, or other entity which has applied for service; two or more APPLICANTS may make one application for a main extension.
- (b) The "COMPANY" is Emerald Pointe Utility 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 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.
- (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.

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- (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 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 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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Rule 2 GENERAL

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

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Rule 3 COMPANY EMPLOYEES AND CUSTOMER RELATIONS

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

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Rule 4 APPLICATIONS FOR SERVICE

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

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Rules Governing Rendering of Water Service

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Rule 5 INSIDE PIPING AND WATER SERVICE LINES

MISSOURI Public Service Commission

- (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 constructed by the authority of the company by a contractor, and will 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

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Public Service Commission**

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 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.
- (d) 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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Rules Governing Rendering of Water Service

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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 rendered by the Company for sewer service, or rendered by another sewer utility with which the Company has entered a disconnection of service agreement as provided by law.

(b) Except for the provision of Rule 7(a)7, 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 of 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

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shall not occur more than eleven (11) business days after the date given as the discontinuance date.

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

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(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 twenty-one (21) calendar days from the date of rendition, unless

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such due date falls on a Sunday, a legal holiday, or other day when the office is closed, in which case the due date shall be extended to the next business day. Bills unpaid after the stated due date will be delinquent and the company shall have the right to discontinue service in accordance with Rule 7. The company shall not be required to restore or connect any new service for such delinquent customers until the unpaid account due the company under these Rules and Regulations has been paid in full or arrangements satisfactory to the company have been made to pay said account.

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

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- (l) Interest at the rate of 6% per annum compounded annually shall be payable on all deposits, but shall not accrue after the utility has made reasonable effort to return the deposit. Interest may be credited to the customer's account.
- (m) After a customer has paid proper and undisputed utility bills by the due dates, for a period not to exceed one year, credit shall be established or re-established, and the deposit and any interest due shall be refunded. The utility may withhold full refund of the deposit pending resolution of a disputed matter.
- (n) The utility shall give a receipt for deposits received, but shall also keep accurate records of deposits, including customer name, service address, amounts, interest, attempts to refund and dates of every activity regarding the deposit.
- (o) All billing matters shall be handled in accordance with the Public Service Commission's Utility Billing Practices, 4 CSR 240-13.

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Rule 11 METERS AND METER INSTALLATIONS

- (a) All permanent service connections shall be metered. The company's installed meter shall be the standard for measuring water used to determine the bill.
- (b) All meters and meter installations shall be furnished, installed, maintained and removed by the authority of 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.

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- (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 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 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. Applicable income tax cost will be added to this estimate calculated at the maximum rate.
- (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 which 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

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

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

- (e) Refunds of contributions shall be made to applicant(s) as follows:

- (1) Should the actual cost of the extension be less than the estimated cost, the company shall refund the difference as soon as the actual cost has been ascertained.
- (2) After the company has closed its books for the year in which a contribution was made, it will determine its actual income tax cost associated with each extension and refund any excess income tax costs collected from each applicant.
- (3) 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.

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- (4) The sum of all refunds to any applicant shall not exceed the total contribution, adjusted for taxes associated with the extension, which the applicant(s) has paid.
- (f) Extensions made under this rule shall be and remain the property of the company.
- (g) The company reserves the right to further extend the main and to connect mains on intersecting streets and easements. Connecting new customers to such further extensions shall not entitle the applicant(s) paying for the original extension to a refund for the connection of such customers.
- (h) Extensions made under this rule shall be of company approved pipe sized to meet water service requirements. If the company chooses to size the extension larger in order to meet the company's overall system requirements, the additional cost caused by the large size of pipe shall be borne by the company.
- (i) No interest will be paid by the company of payments for the extension made by the applicant(s).
- (j) If extensions are required on private roads, streets, through private property, or on private property adjacent to public right-of-way, a proper deed of easement must be furnished to the company without cost to the company, before the extension will be made.

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