

Operating Rules and Regulations - Terms & Conditions

Greater Augusta Utility District

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**DOCKET # 2017-00286**

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The following Terms and Conditions made by the Greater Augusta Utility District (“Utility”) and filed with the Maine Public Utilities Commission (“Commission”), constitutes a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

All Utility residential, commercial, industrial and governmental credit and collection procedures in these Terms and Conditions will conform to and be based upon Chapters 62, 65, 660, and 870 of the Commission’s Rules and Regulations hereinafter referred to by Chapter; and Title 17-A and 35-A of the Maine Revised Statutes (MRS).

## Section 1: Definitions

The following terms have the following meanings, unless the context clearly indicates a different meaning:

- A. Account Balance. "Account balance" means the total water, sewer and stormwater amount owed by a Customer that has been properly billed by the Utility.
- B. After hours. “After hours” are defined as:
  - 1. Weekdays: after 4:00 PM and before 7:00 AM
  - 2. Weekends: after 4:00 PM Friday and before 7:00 AM the following Monday
  - 3. Holidays are observed according to the published State of Maine government holidays. Holidays are not considered “normal business hours”. Holidays start at 12:01 AM of the observed holiday and end at midnight.
- C. Amount Overdue. "Amount Overdue" means the total water, sewer and stormwater amount that has been properly billed to a Customer that has not been paid by the due date of the bill or by a date otherwise agreed upon by the Utility and the Customer.
- D. Applicant. "Applicant" means any person or business that applies for Utility service and who has not been a Customer of the Utility within the past 30 calendar days.
- E. Basic Service. “Basic service” means Utility service where the Commission regulates the rate or charge for the service and the rate or charge for the service is contained in the Utility's rate schedules. The Utility is authorized to disconnect water service for the non-payment of sewer charges pursuant to 35-A MRS §6111-C, as sewer charges constitute a “basic” service.
- F. Bill. “Bill” means a statement, either in written or electronic form, from the Utility to a Customer that states the amount owed by the Customer for the current billing period, the amount overdue, the account balance, late fees and any other charges lawfully owed by the Customer. Bills shall be issued in accordance with Chapter 660 and these Terms and Conditions.
- G. Commission. "Commission" means the Maine Public Utilities Commission.
- H. Complaint. “Complaint” is a dispute between an applicant or Customer and the Utility which the Consumer Assistance and Safety Division has decided to resolve pursuant to this Rule.

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- I. Consumer Assistance and Safety Division. "Consumer Assistance and Safety Division" or "CASD" is a division of the Commission assigned with the responsibility of dealing with consumer issues under Chapter 660.
- J. Corporation. "Corporation" is a body created and authorized by law to act and be treated as a single legal entity with an identity distinct from that of its individual members. This definition includes private companies, and municipal and quasi-municipal corporations.
- K. Customer. "Customer" means any person, business, corporation, government or governmental division that has applied for or been accepted to receive, or is either receiving Utility service or has agreed to be billed for Utility service. This term also includes a person or business that was a Customer of the Utility within the past 30 days and who requests service at the same or a different location.
- L. Deposit. "Deposit" means any payment, however designated, that is held as security for future payment or performance.
- M. Dispute. "Dispute" means a grievance of a Customer or applicant about the Utility's application of any provision of this Rule. Disputes include, but are not limited to:
1. deposit requirements;
  2. the accuracy of meter readings or bill amounts;
  3. the proper person to be charged;
  4. the terms of a payment arrangement;
  5. the terms to avoid a pending disconnection;
  6. the terms to obtain a reconnection; and
  7. the transfer of an account balance incurred in one Customer's name into another Customer's account.

If a Customer or Applicant has a grievance and then indicates that the response from the Utility's employee was satisfactory, the dispute between the Customer or Applicant and the Utility will be considered resolved.

- N. Due date of bills. All Bills are past due no less than twenty-six (26) days after the Bill is mailed or otherwise delivered to the Customer. A Bill is considered "mailed" on the date it is postmarked or otherwise delivered to the Customer. If the due date for payment falls on a Saturday, Sunday, legal holiday, or any other day when the Utility's offices are not open for business, the Utility shall extend the due date to the next business day.
- O. Establishment. An "Establishment" is a location at which water service is sought or is being rendered.
- P. Fraud. The term "Fraud" means a false representation, by words or conduct, or the concealment of facts which should have been disclosed, which is intended to deceive the Utility and upon which the Utility reasonably relies in taking actions with respect to a Customer.

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- Q. Limited Service Contract. A "Limited Service Contract" means a written agreement, approved by the Commission, under which the Utility agrees to provide and the Customer agrees to accept a substandard level of service described in the contract.
- R. Make-up Bill. A "make-up bill" is a bill issued for previously unbilled Utility service.
- S. New Customer. A "New Customer" means any person or business that has applied and been accepted for service that has not taken service from the Utility within the past 30 days.
- T. Non-basic Utility Service. "Non-basic Utility service" means Utility service that meets any of these conditions:
1. The Commission does not regulate the rate or charge for the service; or
  2. The rate or charge for the service is not contained in the Utility's rate schedules; or
  3. The service is for merchandise or equipment that is not required as a condition of receiving Utility service.
- U. Occupant. "Occupant" means any person who resides at an establishment that is provided with basic or non-basic Utility service.
- V. Payment Arrangement. "Payment arrangement" means an agreement between a Customer or applicant and the Utility that allows the account balance or deposit to be paid in one or more installments.
- W. Person. "Person" means an individual, partnership, or voluntary association.
- X. Physician. "Physician" means any individual authorized by law to practice medicine or osteopathy in Maine.
- Y. Premises. "Premises" means any residential or non-residential building or property.
- Z. Private Line. "Private line" means:
1. A water line constructed prior to May 7, 1986 across private property to serve one or more Customers and not considered by the Utility to be a water main;
  2. Except as provided under Chapter 65, a water line constructed after May 7, 1986 across private property to serve a single Customer, a single multi-unit dwelling complex or a single commercial or industrial development upon which no other person has an easement or other right of access for water line purposes.
- AA. Refund. "Refund" means a cash or cash equivalent reimbursement to a Customer. The application of a credit to a Customer's account is not a refund.
- BB. Residential Utility Service. "Residential Utility service" means Utility service provided to a dwelling. It includes service provided for a nonresidential purpose, if a residential dwelling is receiving service through the same meter.

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- CC. Seasonal Customer. "Seasonal Customer" means a Customer which regularly takes service through summer service pipes and water mains. A seasonal Customer will be subject to the rules and charges of seasonal rates in effect.
- DD. Serious Medical Condition. "Serious medical condition" means a medical condition such that a lack of Utility service would pose a serious risk of harm to the individual with the condition.
- EE. Service Pipe. "Service pipe" means the pipe running from the water main to the Customer's establishment. (Chapter 62 §1 G)
- FF. Service Drop. The "service drop" portion of the service pipe shall be owned by the Utility and shall extend from the main to the curb stop (shut-off valve). The curb stop shall ordinarily be at the edge of the right of way. (Chapter 65 §1 L)
- GG. Summer Service Pipes and Water Mains. "Summer Service Pipes and Water Mains" are pipes which can supply Premises for only a portion of the year, typically from May 1 to October 1. The Utility may elect to extend service before May 1 or after October 1. (Chapter 62 §2 E)
- HH. Temporary Establishment. "Temporary establishment" means an establishment that the Utility reasonably believes to be of a temporary nature after giving due consideration to the location, setting, structures, and use of the establishment. The absence of a cellar or permanent foundation shall not be the sole criterion used by the Utility in determining that an establishment is temporary. As a general rule, temporary establishments are expected to last no longer than 5 years. The owner must enter into a temporary service agreement with the Utility before any temporary establishment can be served.
- II. Third Party. "Third party" means a person or entity not employed by or working on behalf of the Utility. For the purposes of this Chapter, neither Commission staff nor contractors working on behalf of the Utility are considered "third parties".
- JJ. Unauthorized Use. "Unauthorized use" means the interference or diversion of Utility service. Unauthorized use includes, but is not limited to:
1. tampering with the meter (any act which affects the proper registration of service through a meter);
  2. bypassing the meter without prior Utility permission (unmetered service that flows through a device connected between the service line and Customer-owned facilities); or
  3. restoring service without authorization from the Utility or the CASD.
- KK. Utility. "Utility" refers to the Greater Augusta Utility District.
- LL. Water Utility. A corporation, person, or the lessee, trustee, of a corporation or person, owning, controlling, operating, or managing any water works for compensation within this State.
- MM. Water Main. A water pipe, other than a service pipe or private line which is owned, operated, and maintained by the Utility, and used for the transmission or distribution of water.

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## Section 2: Establishment of Service

### 1. Application for Service.

The Owner or Occupant of an Establishment may apply for service (Chapter 62).

The Applicant will pay a \$20.00 Application for Service Fee that will be added to the first Bill.

If a new service connection or other work on the owner's Premises is required, the owner must authorize the Utility to enter the Premises to perform the necessary work. The size and location of the Utility's portion of the service pipe for a new service and service upgrade shall be determined by the Utility. (Chapter 62 §2 C)

### 2. Conditions of Service

Utility Employees displaying proper identification shall have the right of reasonable access to all premises which it serves, at reasonable hours, to permit the inspection of plumbing and fixtures, to set, remove, or read meters, and to ascertain the amount of water used. (Chapter 62 §4A)

Every establishment must be equipped with an operable stop and waste valve located inside the building near the service entrance, easily accessible, and protected from freezing. All piping must be arranged to prevent back-siphonage and must permit draining whenever necessary. (Chapter 62 §4)

The use of water consumption equipment which could affect the Utility's pressure or operating conditions and interfere with the service of other Customers is prohibited. If a Customer fails to comply with these regulations, the Utility may disconnect service pursuant to Chapter 660.

Customers must install vacuum, temperature, and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve.

Cross connections between the public water supply system and any other supply are prohibited unless it is properly protected by measures which comply with rules of the Department of Health and Human Services. The Utility prohibits any connection that will cause back flow between the public water supply system and any plumbing fixtures, device or appliance, or between any waste outlet or pipe having direct connection to waste drains. If the Owner of such a connection fails to break or properly protect the connection within a time limit specified by the Utility or Department, the Utility will discontinue service pursuant to Commission rules. (Chapter 62 §4)

### 3. Service Pipe.

The Utility shall install, own and maintain the service drop portion of the service pipe, as described in and subject to the payment and other requirements of Chapter 65. The Utility will determine the size and location of its portion of the service pipe. (Chapter 62 §2 C)

The Customer shall pay for, install, own and maintain the Customer's portion of the service pipe. If a public way must be crossed by the Customer's portion of the service pipe, the crossing must be approved by the Utility. (Chapter 62 §2 C)

The Customer-owned portion of the Service Pipe must be installed per the Utility's standards and specifications and only after approval of the Utility is obtained.

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Any service pipe requested shall be financed in full by the Customer, including the portion within the public or Utility right-of-way pursuant to Chapter 65 §5 A as voted by the Trustees in 1994.

The Applicant must provide any Deposit for the full estimated amount at least two weeks before the Utility executes any work.

#### 4. Frozen service pipe

Frozen service pipes will be addressed in accordance with Chapter 62 §2 C ii.

#### 5. Access to Premises.

The Owner must authorize the Utility to enter the premises to do the work necessary to establish a connection. (Chapter 62 §2A)

The Utility requires the Customer to provide an authorized adult, 18 years or older, to escort Utility personnel throughout the Premises as needed.

#### 6. Seasonal resumption of service charge.

The Utility will charge seasonal Customers an annual fee of \$120.00 to both reconnect summer service pipes, water mains, and meters each spring and to disconnect summer service pipes, water mains, and meters at the end of the season. (Chapter 62 §2 G)

The seasonal resumption of service charge is in addition to seasonal metered rate charges.

### Section 3: Credit and Collections

#### 7. Billing.

All billing and payment standards will be governed by Chapter 660.

Customers are billed monthly or at the Utility's discretion. The Utility reserves the right to bill at a different frequency upon notice to the Customer, agreement with the Customer, or outside the normal provision of water (e.g. temporary construction meters). All billings are in arrears unless otherwise noted.

Public and private fire protection charges are billed monthly.

Customers are responsible for providing a correct billing address. Failure to receive a bill does not relieve the Customer of the obligation of their payment, nor from the consequences of nonpayment.

#### 8. Credit and Collection.

All credit and collection actions for both residential and nonresidential Customers will be based upon Chapter 660 and Chapter 870. The Utility may demand a deposit from an Applicant or Customer as permitted by Chapter 660.

#### 9. Application of partial payments.

When a partial payment is received, the Utility must first apply the payment to the oldest basic service balance due, no matter if water or sewer, unless instructions from the Customer, a disputed Bill, or a payment arrangement require otherwise. (Chapter 660 §8 H)

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After all basic service balances due have been paid, unused payment amounts may be applied to non-basic service, unless otherwise stipulated. Sewer and drinking water service are “basic” services when the Utility provides both sewer and drinking water to the same Customer.

Stormwater is an example of a non-basic Utility Service.

#### 10. Payment Arrangement.

The Utility shall continue to serve a Customer who cannot pay the Account Balance, provided mutually agreed upon payment arrangements are adhered to in accordance with Chapter 660 §9 A and with these Terms and Conditions.

#### 11. Dispute Resolution.

The Utility resolves disputes in accordance with Chapter 660.

#### 12. Proration.

As appropriate, initial, final and seasonal bills may be pro-rated in accordance with GAUD’s approved tariffs and the number of days in the billing cycle.

#### 13. Assistance Program

Pursuant to Title 35-A MRS §6111-C and to Chapter 660, the Utility shall provide financial assistance information to Customers who are in imminent threat of disconnection, including but not limited to 211, the Department of Health and Human Services, the Community Action Agencies, and local Town or City Government. (Chapter 660 §E 2)

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**14. Reconnection of Service and Fee:**

Customers will be reconnected on the same day or no later than 5:00 PM the following business day after the cause of the disconnection has been remedied. (Chapter 660 §12 C)

The Utility will charge a Customer a service reconnection fee to restore service at a Customer's Premises if service was disconnected for any reason allowable under Chapter 660, these Terms and Conditions, or the Customer's request.

Normal business hours	\$ 90.00
After hours	\$144.00
Holidays	\$183.00

Requests to reconnect service where the Utility receives notice that the cause of the disconnection has been remedied by 3:00 PM are considered as received during "normal business hours".

**15. Collection fee.**

If Utility personnel visit the Customer's premises to disconnect service for non-payment and in lieu of actual disconnection the Customer pays or makes a payment arrangement for the entire past due balance, the Utility may charge a collection fee of \$25.00.

**16. Return Trip Fee.**

The Utility may charge a Customer a \$25.00 Return Trip Fee when the Customer fails to appear for their scheduled appointment. Customers must cancel scheduled appointments with the Utility at least one hour in advance to avoid the Return Trip Fee.

**17. Late Payment Charge.**

The Utility will impose the maximum late payment charge permitted under Section 870 of the Commission's Rules on all Bills not paid by the due date of the Bill. (Chapter 660 §8 G)

**18. Charge for Returned Checks.**

In accordance with Chapter 870, any Customer whose check is returned for nonpayment to the Utility by a bank will be charged the greater of \$5.00 per account to which the check is to be applied or the amount that the bank charges the Utility. If the Customer is charged more than \$5.00, the utility will provide the Customer a copy of the bank charge upon request.

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#### 19. Disconnection of leased or rented property.

Before disconnecting a leased or rented residential property, the account for which is in the landlord's name, the Utility shall comply with the notice requirements contained in Chapter 660, and must offer the tenant the right to take responsibility for future payments.

In addition to the above, before the actual disconnection of service to a single-meter, multi-unit building, the Utility will: (Chapter 660 §10 I 4)

- a. Apply any existing deposit to the current account balance, and
- b. Assess, against the landlord, a collection fee of \$250.00 in addition to the standard reconnection fee.

At its discretion, the Utility may separately meter or cause to be separately metered, at the landlord's expense, each dwelling unit within the property.

#### 20. Electronic Payment.

The Utility may allow Customers to pay amounts owed the Utility for service using electronic payment systems.

Electronic payments are "received" by the Utility either:

1. at the date and time the transaction is executed by the Customer or;
2. the date the Customer chooses for the payment to be applied to the Customer's account if that choice is available in the Utility's billing system.

Any vendor retained by the Utility to process electronic bill payments may charge the Customer a transaction fee provided the Customer is informed of the specific amount of the fee prior to making the payment and that the Utility not recoup any portion of the transaction fee.

#### 21. Estimated bills

The Utility may issue a Bill for estimated usage when a physical or remote meter reading is not practical.

### Section 4: Customer and Utility Rights and Responsibilities

#### 22. Meter Malfunction, Failure to Read Meter and Unauthorized Use or Fraud

Unauthorized Use of water is prohibited.

Theft of Utility services is unlawful and will be prosecuted pursuant to 17-A MRS §357.

No Customer shall supply water to another, nor shall water be used for any purposes not declared in the application for service without Utility approval.

No Person shall obtain water from any public or private fire hydrant, private sprinkler system or other fixture of the Utility without previous consent of the Utility.

These issues will be addressed in accordance with Chapter 660 §8 E.

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### 23. Conservation.

The Utility takes all reasonable steps to prevent the unnecessary waste of water. If a leak is located on a Customer's service pipe, the Utility will notify the Customer that the leak must be repaired within the time frame specified by the Utility. If a Customer fails to repair a leak on their service pipe within the time frame specified, service shall be discontinued pursuant to Chapter 660.

When necessary to conserve the water supply, the Utility may restrict or prohibit the use of hoses, sprinklers or other non-agricultural irrigation systems.

### 24. Fluctuation of Pressures by Customer's Apparatus.

No Customer shall install or use a water consumption apparatus which will affect the Utility's pressure or operating conditions so as to interfere with the service of another Customer. Where a Customer has or proposes to install an apparatus that requires water in sudden and / or material quantities, impairing the pressure to the detriment, damage or disadvantage of other Customers, the Utility reserves the right to require such Customer to install devices or apparatus which will confine such fluctuation of demand or reduction of pressure within reasonable limits determined by the Utility. (Chapter 62 §4 C)

If the Customer, after receiving written notice from the Utility, fails to present an acceptable remedial plan within a time limit set by the Utility, service will be discontinued pursuant to Chapter 660.

### 25. Safeguarding Pressure Devices and Systems Supplied by Automatic Feed Valves.

The Utility strongly urges Customers to install thermal / pressure expansion tanks as a means to prevent damage to plumbing lines and fixtures caused by water hammer and / or over-pressurization. (Chapter 62 §4 D)

All Customers having direct pressure water devices, including but not limited to hot water tanks, or secondary systems supplied by automatic feed valves must have installed and maintained in operating condition appropriate thermal / pressure expansion tanks, vacuum, temperature, and pressure relief valves or cutouts in the water system and / or secondary system to prevent damage to the water device or secondary system or their appurtenances should it become necessary to shut off the water main or service, or should a pressure failure occur for any other reason.

Water service supplied to any Customer not providing such protective devices will be solely at the risk of the Customer, and the Utility will not be held liable for damage resulting from the lack of, failure of, or improper installation of such protective devices.

### 26. Interruption of Water Supply.

Water service may be interrupted when it is necessary to repair or maintain the utility delivery system (planned or unplanned); to eliminate an imminent threat to life, health, safety or substantial property damage; or for reasons of local, state or national emergency.

Chapter 660 provides details regarding reasonable notice of affected customers. (660 §14 A)

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## 27. Low Pressure Areas and Limited Service Contracts.

Distribution system water pressures are typically between 25 pounds per square inch (PSI) and 150 PSI.

Low pressure areas have substantially uniform system pressure at the connection of the water service to the main where pressure may be expected to fall below 20 PSI under normal operating conditions.

(Chapter 62 §2 I)

The Utility will not extend its mains or render service to new Customers in low pressure areas unless a limited service contract is executed between the Customer and the Utility and approved by the Commission.

If a Customer wants to enter into a limited service contract, then service will be provided unless the Commission orders otherwise.

The Limited Service Contract must be approved by the Commission prior to rendering service.

If a Customer believes the distribution system pressure is more than an apparatus can endure, it shall be the responsibility of the Customer to install a suitable pressure reducing device.

## 28. Liability of Utility.

The Utility shall in no event be liable for any damage or inconvenience caused by reason of any break, leak or defect in the Customer's service pipe or fixtures.

If for the purposes of making repairs, extensions or connections, or for any other reason beyond the control of the Utility, it becomes necessary to shut off water in the mains, the Utility will not be responsible for any damages occasioned by such shut-off. The Utility will not be responsible for damage caused by turbid water which may be occasioned by cleaning pipes, reservoirs or standpipes, or the opening or closing of any valves or hydrants, or any other cause when the same is not due to lack of reasonable care on the part of the Utility.

The Utility will not be responsible for meeting water quality standards that exceed Primary Drinking Water Standards set by the Maine Department of Health and Human Services. Notwithstanding these Standards, the Utility makes no representations or warranties about the quality of the water and will not be liable thereby for any damages caused by unsatisfactory water quality.

## Section 5: Meters

### 29. General requirements.

The Customer may receive water through a meter upon Application to the Utility. The size and type of the meter will, in all cases, be determined by the Utility. All water sold by the Utility shall be on the basis of meter measurements or as otherwise provided for in its rate schedules. The Utility may install meters whenever and wherever deemed expedient.

### 30. Metered Service.

All Utility Customers are required to have water meters which will be installed, maintained and read by the Utility. The cost of the meter, appurtenances and installation shall be borne by the Customer.

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The Customer is required to provide a warm, dry and accessible location for the meter.

All meter installations shall be in accordance with the Utility's requirements, standards, and specifications.

### 31. Meter Location.

#### Single-Family Residential:

Except as set forth below, each individual residence must have its own meter. Sub-service from a metered line is not permitted. Metered water lines may not be extended to serve another residence or place of business.

Meters may not be located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under a residence.

The water meter shall be located in the basement or mechanical / utility room if one is available.

The water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the service line comes through the floor of the mechanical / utility room.

All water meters installed within buildings shall be within 48 inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than 24 inches and not more than 48 inches above the floor surface.

A rear building served by a water line through the front building as of the date of the adoption of these Terms and Conditions, may continue in this manner as long as both are on the same lot and under the same ownership regardless of any major repairs to the service line to the front building. The main water service shall not be branched. If the rear building is sold, replaced, or the property is divided, a new direct service with separate meter(s) shall be installed in accordance with these Terms and Conditions.

#### Apartments, Duplexes, Condominiums and Commercial Buildings:

The Utility requires all new multi-tenant buildings to be individually metered. The cost of the meters and installation shall be borne by the owner. The installation of the individual meters shall be installed in a common location, with keyed access from the exterior of the building and shall be installed in accordance with the Utility's requirements. The Utility may permit a single master meter at the owner's request, provided the owner agrees to pay for all water consumption. If meters cannot be installed in a common location with access from the exterior of the building, then individual service lines with curb stop valves must be installed into the building.

The water meter shall be placed where the water service line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the service line comes through the floor of the mechanical / utility room. All water meters installed within buildings shall be within 48 inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than 24 inches and not more than 48 inches above the floor surface. Meters shall be located in a clean, dry, warm and easily accessible location. Meters may not be

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located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under any building.

Mobile Homes:

Water meters for all new or replacement mobile homes placed on a concrete, paved or gravel slab shall be located inside the home in a warm, dry and accessible location. The meter may not be installed under the home. Mobile homes placed on full basement foundations are considered Single Family Residential as described above.

The safety of Utility employees is paramount. If a water meter is located under the mobile home, the Utility requires the Customer to provide safe access to the meter for service work by removing the skirting where the meter is located, all insulation, and heat tape prior to the arrival of Utility personnel. The Customer will be responsible for reinstalling the insulation, heat tape and skirting once the service is complete. Failure of the Customer to provide safe access to the water meter as described above will result in the initiation of disconnection proceedings pursuant to Chapter 660.

Mobile Home Parks:

Mobile home parks whose water distribution system is not owned and maintained by the Utility shall be metered at the point of entry of the water service line onto the property with a single master meter. The master meter shall be placed inside a structure meeting the Utility's current specifications. The meter structure (pit or above ground building) shall be owned, installed and maintained by the Customer in good repair at the Customer's expense.

32. Meter Valves.

Every service must be provided with two operable ball or gate valves, one on each side of the water meter, located inside the building near the water service entrance, in a location which is easily accessible, and protected from freezing.

All valve configurations shall be arranged as specified by the Utility based on the required meter size. The Customer shall own and maintain these valves in good operable condition.

33. Meter Pits or Vaults.

The use of meter pits or vaults is discouraged due to accessibility and safety issues. The use of meter pits or vaults will be considered on a case by case basis and requires prior written Utility approval. (Chapter 62 §3 E)

Meter pits or vaults must be installed and operated in accordance with the Utility's current specifications. The ownership, installation and maintenance of all meter pits and vaults shall be, and remain the responsibility of the Customer.

The meter pit or vault must be located on the Customer's property as close to the property line as possible. The meter pit or vault must be installed in such a manner to keep the pit or vault clean and dry at all times.

All piping and valves within the meter pit or vault must be installed as directed by the Utility.

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All backflow prevention devices installed inside a meter pit or vault must receive prior written approval from the Utility and meet all applicable State and Utility regulations.

34. Remote Reading Registers or Similar Remote Automated Devices.

Remote reading registers or similar remote automated meter reading devices acceptable to, and installed by the Utility or Utility-authorized personnel may be utilized. (Chapter 62 §3 D)

35. Meter Repair, Replacement, and Relocation.

Meter repair and replacement necessitated by ordinary wear will be paid for by the Utility.

Meters, once set, may be changed in location at the request and expense of the Customer at the fees described in the table below. The meter relocation will be done only by personnel authorized by the Utility. (Chapter 62 §3 C)

Meter repair and replacement caused by freezing, attempts to thaw, hot water, or by other cause within the control of the Customer will be charged to the Customer, including the cost of removing and replacing the damaged meter.

The Customer will be charged for the repair, replacement or relocation of damaged meters in accordance with these Terms and Conditions based on the meter size and the time of repair as shown in the table below. Costs are per hour and do not include the cost of the meter.

	Meter diameter	
	5/8" to 1"	1 ½" and larger
Normal business hours	\$49.00	\$124.00
After hours	\$144.00	\$260.00
Holidays	\$183.00	\$337.00

36. Sub-metering.

If additional meters are desired by the Customer for showing subdivision of the supply, the Customer shall furnish, install, read and maintain such meters at the Customer's own expense. All auxiliary meters must be installed downstream of the Utility's meter.

37. Testing.

Docket number 2018-0029 approved by the Commission on April 2, 2018 allows the District to deviate from Chapter 62 meter testing frequency for certain meters. Mechanical meters sized from 5/8" up to and including 2" are tested or replaced at 12 year intervals. 5/8", ¾" and 1" iPERL magnetic meters are tested or replaced at 20 year intervals.

All other meters are periodically tested or replaced in accordance with Chapter 62 §3 G.

Tests made at the request of a Customer shall be made in the presence of the Customer or their representative, if they so desire, and a written report of the test will be furnished to the Customer.

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All tests will be at the sole expense of the Utility, unless the Customer requests tests more frequently than once in eighteen (18) months, in which case the Utility will require the Customer to make a minimum deposit in the amount of \$60.00. After testing, a bill showing actual costs will be mailed to the Customer. If a meter tested at the request of a Customer does not conform to Chapter 62, the Customer's deposit will be either refunded or credited to the Customer's account. If the meter conforms to Chapter 62 the Customer will be required to pay the entire cost of said testing and any deposit made will be adjusted accordingly. The meter may be continued in use at the same location at the discretion of the Utility.

### 38. Leak Abatement Procedure

From time to time plumbing failures cause water leaks that are undetected until the water meter is read.

Customers seeking abatement for an undetected plumbing failure that results in consumption which is significantly higher than normal must follow this procedure.

Customers who request abatement must complete an application provided by the Utility.

Customers must have previous water bills paid in full to apply for abatement. Abatement claims made more than 90 calendar days after the billing date will not be considered. Abatements apply only to plumbing failures outside the Customer's control that result in excess usage and have been repaired and documented to the Utility with a signed statement from the Customer.

A Customer may receive an abatement credit only once in 3 years.

The abatement is the dollar equivalent of one half of the difference between the abatement request and the average consumption from the prior 12 months of service. The cost per HCF is the Utility's current tariff charge for each one hundred cubic feet of water above the minimum charge. See the example below.

A Customer has 12 months average usage of 7 hundred cubic feet (HCF). A leak results in usage of 13 HCF. The cost per HCF as of June, 2018 is \$2.40. The Customer asks for an abatement which is computed as follows.

$$\text{abatement amount} = \left( \frac{\text{abatement request (HCF)} - \text{average prior 12 months consumption (HCF)}}{2} \right) \times (\text{cost per HCF})$$

13 HCF – 7 HCF = 6 HCF. 6 HCF divided by 2 = 3 HCF. In this example, 1 HCF is worth \$2.40. Therefore 3 HCF multiplied by \$2.40 equals the abatement amount of \$7.20.

The maximum abatement for water is \$333.00.

The Utility will review each application on a case by case basis and grant or deny plumbing failure abatements based on available information.

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## Section 6: Cross Connections

### 39. Cross Connections.

No cross connection between the Public Water Supply system and any other supply will be allowed unless properly protected in accordance with the directives and rules of the Drinking Water Program. No new cross connection may be installed without the approval of the Utility.

No connection capable of causing backflow between the Public Water Supply system and any plumbing fixture, device, or appliance, or between any waste outlet or pipe having direct connection to waste drains will be permitted.

If the owner of such a connection fails, or refuses, to break or properly protect the connection within a time limit specified by the Utility, service shall be disconnected pursuant to Chapter 660.

Cross connections must also comply with the Utility's Cross Connection Control Program.

### 40. Backflow Prevention Devices Testing Requirements.

The Utility will perform the initial inspection and testing of a testable backflow prevention device for a flat fee of \$50.00.

Subsequent required tests must be done by a certified backflow prevention device tester. Test results must be provided to the Utility within 30 calendar days of the actual test. A list of certified backflow prevention device testers is available from the Utility.

## Section 7: General Provisions

### 41. Tampering with Utility Property.

Tampering with Utility property is prohibited by law. No Utility-owned valve, meter, meter setter, backflow prevention device, shutoff, hydrant or standpipe will be opened or closed or otherwise operated by anyone other than the Utility or its agents. All tampering offenses will be prosecuted under the guidelines of 35-A MRS Ch. 27, Sub-Sections 2706 – 2708.

### 42. Utility Jobbing.

Jobbing is the provision of unregulated Utility services, such as construction services.

If the Utility agrees to do work outside the scope of regulated Utility service for a Customer at the Customer's expense, the Utility may require an advance payment equal to the Utility's estimated cost of the work. At the completion of the work, any excess over the actual bill for services will be returned, and any amount due in excess of the advance payment will be payable. (Chapter 62 §2 B)

### 43. Joint Use of Water Main and Service Pipe Trench.

Water mains, services, hydrant branches etc. will not be placed in the same trench with sewer facilities. State of Maine Rules Relating to Drinking Water require a horizontal separation of ten (10) feet between water system infrastructure and all sewer facilities. Where extenuating, unusual or special circumstances are encountered, a lesser separation may be allowed with mutual agreement of all

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parties involved, provided that the installation shall be in compliance with all applicable laws, rules and regulations.

The Utility further regulates the horizontal separation between all water mains, services, hydrant branches etc. and all other underground Utility facilities per its Standard Specifications.

#### 44. Size of Water Distribution Mains.

The Utility provides water for domestic use and fire protection. The Utility requires all distribution mains to be adequately sized in accordance with Chapter 65.

### Section 8: Fire Protection

#### 45. Fire Hydrants.

Fire hydrants, both public and private, may not be used for any purpose other than fire extinguishment, training purposes by authorized fire department personnel, or for such other purposes as may be agreed to in writing by the Utility and a municipality or owner of a private hydrant. In no case shall fire hydrants be opened by any person other than an agent of the Utility or a duly authorized representative of the municipality or owner.

#### 46. Private Fire Protection.

If fire protection service is available, it will be installed at the Customer's expense within the bounds of the public way or right of way. The fire service line, after installation, will be owned and maintained in the public way or right of way by the Utility.

The Utility does not guarantee the quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. A minimum 48 hour notice must be given to the Utility in advance of flow testing work so a representative of the Utility can be present to observe the test, if so desired.

All new private fire connections shall require appropriate backflow prevention devices at the service entrance in accordance with the Utility's Cross Connection Control Program.

#### 47. Charge to Flow Test Fire Hydrants.

The Utility will charge a fee of \$200.00 to flow-test a public or private fire hydrant if a flow test has been done at the requested location within the past five (5) years of the requested test date. If the most recent flow test is older than five (5) years, there will be no charge for the requested flow test. Under all circumstances, at the Utility's discretion, the Utility shall have a representative present to observe or conduct the flow test.

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