P.S.C. KY. NO. _____

CANCELLING P.S.C. KY. NO._____

CALDWELL COUNTY WATER DISTRICT

OF

118 WEST MARKET STREET

PRINCETON, KENTUCKY, 42445

RATES & CHARGES

AND

RULES & REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

CALDWELL COUNTY
KENTUCKY

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

DATE OF ISSUE 07/14/2011
Month / Date / Year

DATE EFFECTIVE 09/01/2011
Month / Date / Year

ISSUED BY Jimmy Littlefield
(Signature of Officer)

TITLE Chairman

KENTUCKY
PUBLIC SERVICE COMMISSION

JEFF R. DEROUEN
EXECUTIVE DIRECTOR

TARIFF BRANCH

Bunt Kirtley

EFFECTIVE

9/1/2011

PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

FOR Caldwell County, Kentucky
Community, Town or City

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_____SHEET NO._____

Caldwell County Water District
(Name of Utility)

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RATES AND CHARGES

A. MONTHLY RATES:

All Meter Sizes

First	1,000	Gallons	$20.71	Minimum Bill
Next	3,000	Gallons	$10.51	Per 1,000 Gallons
Next	6,000	Gallons	$ 8.46	Per 1,000 Gallons
Next	20,000	Gallons	$ 6.42	Per 1,000 Gallons
Over	30,000	Gallons	$ 5.55	Per 1,000 Gallons

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B. DEPOSITS:

Flat Deposit $90.00

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C. METER CONNECTION/TAP-ON CHARGES:

5/8 Inch X 3/4 Inch	$700.00
All Larger Meters	Actual Cost

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D. SPECIAL NON-RECURRING CHARGES:

Connection/Turn-on Charge	$30.00
Credit/Debit Card	1.7% of the bill plus $0.20 per transaction
Field Collection Charge	$30.00
Late Payment Penalty	10%
Meter Relocation Charge	Actual Cost
Meter Read Charge	$30.00
Meter Re-read charge	$30.00
Meter Test Charge	Actual Cost
Re-connection Charge	$30.00
Returned Check Charge	$25.00
Service Call/Investigation	$30.00

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RATES AND CHARGES

E. PURCHASED WATER RATES:

Princeton Water & Wastewater	Rate:
All Usage	$2.024 per 100 Cubic Feet

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F. LEAK ADJUSTMENT RATE: Princeton Water & Wastewater rate plus 15%

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RULES AND REGULATIONS

The following are the rules and regulations of the Caldwell County Water District. The schedule of rates prescribed herein will be uniformly charged to all customers of the utility. Unless specifically set forth in this Tariff no one will receive or be entitled to free service by the utility. No employee or individual commissioner of the utility is permitted to make an exception to these rates, rules, or regulations. These rules and regulations are subject to change by the utility at any time, subject to the approval of the Public Service Commission.

A. Service Information:

1. Upon request the utility will give its customers or prospective customers such information as is reasonably possible in order that they may secure safe, efficient, and continuous service. The utility will inform its customers of any change made or proposed in the character of its service that might affect the efficiency, safety, or continuity of operation.
2. The utility will obtain the approval of the Public Service Commission prior to making any substantial change in the character of the service furnished that would affect the efficiency, adjustment, speed, or operation of the equipment or appliances of any customer. The application will show the nature of the change to be made, the number of customers affected, and the manner in which they will be affected.
3. The utility will inform each applicant for service of each type, class, and character of service available at his/her location.
4. Upon request the utility will provide the following information to any applicant/customer:
   a) Characteristics of Water. A written description of chemical constituents and bacteriological standards of the treated water as required by the Natural Resources Cabinet.
   b) Rates. A schedule of rates for water service applicable to the service to be rendered to the customer.
   c) Reading Meters. Information about the method of reading meters.
   d) Bill Analysis. A statement of the past readings of a customer's meter for a period of two (2) years.

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B. Special Rules or Requirements:

1. The utility cannot establish any special rule or requirement without first obtaining the approval of the Public Service Commission.
2. A customer that has complied with Public Service Commission rules and regulations cannot be denied service for failure to comply with the utility's rules that have not been approved by the Public Service Commission.
3. Each prospective customer desiring water service will be required to sign the utility's Water Service Contract before service is supplied by the utility.
4. No customer is allowed to resell water except under the terms of a special contract executed by the utility and approved by the Public Service Commission.

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C. Billings, Meter Readings, and Related Information:

1. Information on bills. Each bill issued by the utility will clearly show the following, if applicable: class of service; present and last preceding meter readings; date of the present reading; number of units consumed; meter constant, if any; net amount for service rendered; all taxes; any adjustments; and the gross amount of the bill. The date after which a late payment penalty applies to the gross amount will also be indicated. Estimated or calculated bills will be distinctly marked as such. The rate schedule under which the bill is computed will be furnished under one (1) of the following methods:

   a) By printing it on the bill.

   b) By publishing it in a newspaper of general circulation once each year.

   c) By mailing it to each customer once each year.

   d) By providing a place on each bill where a customer may request a copy of the applicable rates. The utility will mail the customer a copy by return first class mail.

2. Bill format. A copy of the utility's billing form will be included in the utility's tariff.

3. Meter readings. Registration of each meter shall read in the same units as used for billing unless a conversion factor is shown on the billing form.

4. Frequency of meter reading. Unless prevented by reasons beyond the utility's control, meter readings will be taken every month. Records will be kept by the utility to insure that this information is available to Public Service Commission staff and any customer requesting this information. If, due to reasons beyond its control, the utility is unable to read a meter in accordance with this subsection, the utility will record the date and time the attempt was made, if applicable, and the reason the utility was unable to read the meter.

5. Related Information.

   a) Bills and notices related to the utility's business will be mailed to the customer at the address listed on the Water Service Contract unless a change of address has been filed with the utility in writing. The utility will not otherwise be responsible for delivery of any bill or notice nor will the customer be excused from the payment of any bill or any performance required in the notice.

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b) Bills are payable and due on the date of issuance.

c) Payment must be received, not postmarked, before the close of business on the tenth day of the month; otherwise, the delinquent bill will be assessed the late payment penalty approved and on-file with the Public Service Commission.

d) The late payment penalty will be assessed on the delinquent amount of the bill, less taxes and any prior penalty amounts. Pursuant to Public Service Commission Rules and Regulations a penalty may be assessed only once on any bill for rendered services.

e) Delinquent bills may result in disconnection of service with the utility applying the customer's deposit against the unpaid bill. The customer shall be given at least five (5) days written notice of termination, and at least twenty (20) days shall have passed since the issuance of the original bill.

f) A single meter can serve no more than one residential or commercial unit.

6. ACH-Bank Draft/Automatic Withdraw Policy. All customers may pay their bill by ACH-Bank Draft/Automatic Withdraw. The ACH-Bank Draft/Automatic Withdraw will be scheduled for the 5th of each month. On the 5th of each month the payment will be processed. If for any reason payment is declined the payment will still be due by the 10th of the month and a returned check charge will be assessed. All late charges and penalties will be applied if payment is not made by the 10th of the month.

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D. Deposits:

1. The utility requires a cash deposit to secure payment of bills, an equal amount for each class of customers, not to exceed 2/12 of the average annual bill.
2. Deposit amount shall be as listed in the Rates and Charges Section of the Tariff.
3. Service will be refused or discontinued if payment of deposit is not made.
4. Interest will accrue on all deposits at the rate prescribed by law beginning on the date of the deposit. Interest accrued will be refunded to the customer or credited to the customer's bill on an annual basis. If interest is paid or credited to the customer's bill prior to twelve (12) months from the date of deposit or the last interest payment date, the payment or credit shall be on a prorated basis.
5. Deposits will be refunded to customers upon request after twelve (12) months if customer has established a satisfactory payment history or upon termination of service.

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E. Special Non-recurring Charges:

1. The utility will collect for special nonrecurring charges to recover customer-specific costs incurred which would otherwise result in monetary loss to the utility or increased rates to other customers to whom no benefits accrue from the service provided or action taken. The utility may establish or change any special nonrecurring charge by applying for Public Service Commission approval of such charge in accordance with Public Service Commission Rules and Regulations.

2. Special nonrecurring charges will be applied uniformly throughout the area served by the utility. Such charges will relate directly to the service performed or action taken and only yield enough revenue to pay the expenses incurred in rendering the service.

3. The utility will assess a charge for the following non-recurring services:

   a) Connection/Turn-on Charge: Will be assessed for new service turn-ons, seasonal turn-ons, temporary service, or transfer of service. The charge will not be made for initial installation of service where a meter connection/tap-on charge is applicable.

   b) Credit/Debit Card: All customers may pay their bill by credit/debit card. The credit/debit card method of payment may be made in person at the Caldwell County Water District office or by telephone. If on the bill due date an attempt to pay by credit card or debit card is made and the card is declined for any reason, payment is still due in full on that date and will be considered late after that date. All late charges and penalties will be applied. If a customer is paying on our disconnect date and the card is declined, the same rules as above apply, in addition to his/her service being disconnected. When a customer makes a payment by credit card or debit card, the utility will assess a fee equal to that charged to the utility by the credit or debit card processing company to process the transaction. This fee is generally calculated using a formula applied to the balance of the amount charged to the credit or debit account, but may be a flat fee per transaction. Prior to processing the transaction, the customer will be informed of the fee amount and upon request by the customer, the formula employed to arrive at this fee amount. 1.7% of the bill plus 20 cents per transaction for Visa, Master Card and Discover.

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c) Field Collection Charge: Will be assessed once a utility representative arrives at the premises of the service connection to terminate service and the customer calls District Office to make arrangements to pay the delinquent bill to avoid termination. All payments must be handled through the District Office. The utility representatives are not authorized to accept payments in the field. This fee may only be charged once per billing period.

d) Late Payment Penalty: Will be assessed on the delinquent amount of the bill, less taxes.

e) Meter Relocation Charge: Will be assessed when a customer or other authorized person requests that a meter be relocated, changed, or modified. Those requesting a change must reimburse the utility for the actual costs incurred, including but not limited to appropriate legal, administrative, engineering, overhead, or other related costs.

f) Meter Read Charge: Will be assessed when the customer fails to maintain the meter setting in such a manner that the meter reader can not safely locate and access the meter.

g) Meter Re-read Charge: Will be assessed when a customer requests the utility to re-read the customer's meter and the re-read proves that the original meter reading was correct.

h) Meter Test Charge: Will be assessed when a customer requests the utility perform a test on the customer's meter to check for accuracy, and the test shows the customer's meter is not more than two percent (2%) fast.

i) Reconnection Charge: Will be assessed to reconnect service that has been terminated for non-payment of service or for violation of Utility or Public Service Commission rules and regulations, and will include the cost of the service trip for both the disconnection and the reconnection.

j) Returned Check Charge: Will be assessed when a customer's check is returned, either due to insufficient funds or other reason due to customer fault.

k) Service Call/Investigation Charge: Will be assessed when a customer requests the onsite presence of utility personnel to investigate a service problem and the problem is a result of the customer's own plumbing facilities, beyond the utility's delivery point, or not caused by

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F. Customer Complaints to the Utility: Upon complaint to the utility by a customer at the utility's office, by telephone, or in writing, the utility will make a prompt and complete investigation and advise the complainant of its findings. The utility's operator/manager will make a decision within ten (10) days, which the complainant will then have ten (10) days to appeal to the utility's board of commissioners. The customer will receive a final decision from the utility no later than thirty (30) days following the date that the complaint was made. If the complainant is not satisfied with the utility's decision, the utility will provide written notice to the complainant of his/her right to appeal the utility's decision by filing a complaint with the Public Service Commission. The utility will also provide the customer with the address and telephone number of the Public Service Commission. The utility will keep a record of all written complaints. This record will show the name and address of the complainant, the date and nature of the complaint, and the adjustment or disposition of the complaint. Records will be maintained for two (2) years from the date of resolution of the complaint.

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G. Bill Adjustments:

1. Fast or slow reading meters:

   a) If upon periodic test, requested test, or complaint test, a meter in service is found to be more than two percent (2%) fast, additional tests will be made to determine the average error of the meter. The tests will be made in accordance with Public Service Commission Rules and Regulations applicable to the type of meter involved.

   b) If test results on a customer's meter show an average error greater than two percent (2%) fast or slow, or if a customer has been incorrectly billed for any other reason, except in an instance where a utility has filed a verified complaint with the appropriate law enforcement agency alleging fraud or theft by a customer, the utility will immediately determine the period during which the error has existed, and will recompute and adjust the customer's bill to either provide a refund to the customer or collect an additional amount of revenue from the under billed customer. Any adjustment to the customer's account will be in accordance with the Rules and Regulations of the Public Service Commission.

   c) The utility will readjust the account based upon the period during which the error is known to have existed. If the period during which the error existed cannot be determined with reasonable precision, then the time period will be estimated using such data as elapsed time since the last meter test, if applicable, and historical usage data for the customer. If that data is not available, the average usage of similar customer loads will be used for comparison purposes in calculating the time period. If the customer and the utility are unable to agree on an estimate of the time period during which the error existed, the Public Service Commission will determine the issue. In all instances of customer overbilling, the customer's account will be credited or the overbilled amount refunded at the discretion of the customer within thirty (30) days after final meter test results. A utility will not require customer repayment of any under billing to be made over a period shorter than a period coextensive with the under billing.

2. Meter read failure. When a meter has ceased to register, or a meter reading cannot be obtained, the quantity of water to be billed will be based upon an average of twelve-months consumption. If said meter readings are not available for an entire twelve-month period, the water bill will be estimated by

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the utility, subject to an upward or downward adjustment once twelve-months of actual meter readings can be calculated.

3. Monitoring usage. The utility will monitor a customer's usage at least annually in such a way to draw the utility's attention to unusual deviations in a customer's usage.

   a) The customer's annual usage for the most recent twelve (12) month period will be compared with the annual usage for the twelve (12) months immediately preceding that period.

   b) If the annual usage for the two periods differs by less than fifteen percent (15%) or if a higher percentage difference is attributable to a unique circumstance, such as unusual weather conditions, common to all customers, no further review will be done.

   c) If the annual usage for the two periods differs by fifteen percent (15%) or more and cannot be attributed to a readily identified common cause, the utility will compare the customer's monthly usage records for the twelve (12) month period with the monthly usage for the same months of the preceding year.

   d) If the cause for the usage deviation cannot be determined from analysis of the customer's meter reading and billing records, the utility will contact the customer by telephone or in writing to determine whether there have been changes such as different number of household members or work staff, additional or different appliances, changes in business volume, or known leaks in the customer's service line.

   e) Where the deviation is not otherwise explained, the utility will test the customer's meter to determine whether it shows an average error greater than two percent (2%) fast or slow.

   f) If a customer's usage is unduly high (50% above average) and the deviation is not otherwise explained, the utility will test the customer's meter to determine whether the meter shows an average error greater than two (2) percent fast or slow.

4. The utility will notify the customers of the investigation, its findings, and any refunds or back billing in accordance with Public Service Commission Rules and Regulations.

5. In addition to the annual monitoring, the utility will immediately investigate usage deviations brought to its attention as a result of its on-going meter reading or billing processes or customer inquiry.

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6. Customer notification. If a meter is tested and it is found necessary to make a refund or back bill a customer, the customer will be notified in substantially the following form:

On _____, 20___, the meter bearing identification No. ____ installed in your building located at _____ (Street and Number) in _____ (city) was tested at _____ (on premises or elsewhere) and found to register _____ (percent fast or slow). The meter was tested on _____ (Periodic, Request, Complaint) test.

Based upon this we herewith _____ (charge or credit) with the sum of $____, which amount has been noted on your regular bill. If you desire a cash refund, rather than a credit to your account, of any amount overbilled, you must notify this office in writing within seven (7) days of the date of this notice.

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H. Status of Customer Accounts during Billing Disputes: With respect to any billing dispute, customer accounts shall be considered to be current while the dispute is pending as long as the customer continues to make undisputed payments and stays current on subsequent bills.

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I. Customer's Request for Termination of Service:

1. Any customer desiring service terminated or changed from one address to another shall give the utility three (3) working days notice in person, in writing, or by telephone, provided such notice does not violate contractual obligations. The customer will not be responsible for charges for service beyond the three (3) day notice period if the customer provides proper notification and reasonable access to the meter during the notice period. If the customer notifies the utility of his/her request for termination by telephone, the burden of proof is on the customer to prove that service termination was requested if a dispute arises.
2. Upon request that service be reconnected at any premises subsequent to the initial installation or connection to its service lines, the utility will charge the applicant a reconnect fee as set out in this tariff and approved by the Public Service Commission.

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J. Customer Relations:

1. Display of customer rights. The utility will prominently display in the office in which payment is received a copy of Customer's Rights. If a customer indicates to any utility personnel that he is experiencing difficulty in paying a current utility bill, that employee will refer the customer to the designated representative for explanation of the customer's rights.

2. Partial payment plans. The utility shall negotiate and accept reasonable partial payment plans at the request of residential customers who have received a termination notice for failure to pay, except that a utility is not required to negotiate a partial payment plan with a customer who is delinquent under a previous partial payment plan. Partial payment plans must be mutually agreed upon. Plans which extend for a period longer than thirty (30) days will be in writing and will advise customers that service may be terminated without additional notice if the customer fails to meet the obligations of the plan.

3. Utility inspections of service conditions prior to providing service. The utility will inspect the condition of the meter and service connections before providing service to a new customer so that prior or fraudulent use of the facilities will not be attributed to the new customer. The new customer will be afforded the opportunity to be present at such inspections. The utility will not be required to render service to any customer until any defects in the customer-owned portion of the service facilities have been corrected.

4. Prompt connection of service. The utility will reconnect existing service within twenty-four (24) hours, and will install and connect new service within seventy-two (72) hours, when the cause for refusal or discontinuance of service has been corrected and the rules and regulations of the utility and Public Service Commission have been met.

5. Advance termination notice. When advance termination notice is required, the termination notice will be mailed or otherwise delivered to the last known address of the customer. The termination notice will be in writing, distinguishable and separate from any bill. The termination notice will plainly state the reason for termination, that the termination date will not be affected by receipt of any subsequent bill, and that the customer has the right to dispute the reasons for termination.

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K. Refusal or Termination of Service:

1. The utility may refuse service to a customer under the following conditions:

a) For noncompliance with utility or Public Service Commission rules and regulations. The utility cannot refuse service to any customer for noncompliance without first having made a reasonable effort to obtain customer compliance. After such effort by the utility, service may be refused only after the customer has been given a written notice of refusal stating the reasons for refusal of service.

b) For dangerous conditions. If a dangerous condition exists which could subject any person to imminent harm or result in substantial damage to the property of the utility or others is found to exist on the customer's premises, then service will be refused. The utility will notify the customer in writing and, if possible, orally for the reasons for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

c) For refusal of access. When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance or removal of utility property, the utility may refuse service. The utility will notify the customer in writing and, if possible, orally for the reasons for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

d) For outstanding indebtedness. The utility will not furnish new service to any customer who is indebted to the utility until that customer has repaid the indebtedness.

e) For noncompliance with state, local, or other codes. The utility may refuse service to a customer if the customer does not comply with state, municipal or other codes, rules, and/or administrative regulations applying to such service. The utility will notify the customer in writing and, if possible, orally for the reasons for refusal of service. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer before service can be provided.

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2. Utility Initiated Termination of Service:

a) The termination notice requirements stated herein will not apply if termination notice requirements to a particular customer or customers are otherwise dictated by the terms of a special contract between the utility and customer which has been approved by the Public Service Commission.

b) When advance termination notice is required, the termination notice shall be mailed or otherwise delivered to the last known address of the customer. The termination notice shall be in writing, distinguishable and separate from any bill. The termination notice shall plainly state the reason for termination, that the termination date will not be affected by receipt of any subsequent bill, and that the customer has the right to dispute the reasons for termination.

c) The utility may terminate service to a customer under the following conditions with an advance termination notice:

1) For noncompliance with utility or Public Service Commission rules and regulations. The utility cannot terminate service to any customer for noncompliance without first having made a reasonable effort to obtain customer compliance. After such effort by the utility, service may be terminated only after the customer has been given at least ten (10) days written termination notice.

2) For refusal of access. When a customer refuses or neglects to provide reasonable access to the premises for installation, operation, meter reading, maintenance, or removal of utility property, the utility may terminate service. Such action will be taken only when corrective action negotiated between the utility and customer has failed to resolve the situation and after the customer has been given at least ten (10) days written notice of termination.

3) For noncompliance with state, local, or other codes. The utility may terminate service to a customer that does not comply with state, municipal, and/or other codes, rules, and regulations that apply to such service. A utility may terminate service only after ten (10) days written notice of termination is provided unless ordered to terminate immediately by a governmental official.

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4) For nonpayment of bills. The utility may terminate service for nonpayment of charges incurred for utility services. The utility may terminate service only after five (5) days written notice of termination is provided, and after twenty (20) days have elapsed since the mailing date of the original unpaid bill.

d) The utility may terminate service to a customer if the following conditions exist without an advance termination notice. Within twenty-four (24) hours after such termination, the utility shall send written notification to the customer of the reason(s) for termination upon which the utility relies, and of the customer's right to challenge the termination by filing a formal complaint with the Public Service Commission. The utility will not restore service until the customer agrees to comply with all rules and regulations of the utility and Public Service Commission.

1) For illegal use or theft of service. The utility may terminate service to a customer without advance notice if it has evidence that a customer has obtained unauthorized service by illegal use or theft. This right of termination is separate from and in addition to any other legal remedies that the utility may pursue for illegal use or theft of service.

2) For dangerous conditions. If a dangerous condition relating to the utility's service which could subject any person to imminent harm or result in substantial damage to the property of the utility or others is found to exist on the customer's premises, then service will be terminated immediately. Upon termination the utility will leave notification at the customer's dwelling and, if possible, orally contact the customer to inform him/her of the reasons for the termination. Such notice will be recorded by the utility and will include the corrective action to be taken by the customer or utility before service can be restored.

3) Unapproved Extensions and/or Additions. Any extension or additions to an existing service connection that have not been approved by the utility will be considered theft of service, and will constitute grounds for termination of service. This right of termination is separate from and in addition to any other legal remedies that the utility may pursue for illegal use or theft of service.

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4) Misrepresentation. Any misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water will constitute grounds for termination of service, and the customer shall be liable for any damage to any of the utility's facilities or equipment.

5) Failure to Report Changes. Failure to notify the utility of additions to the property or fixtures to be supplied or additional use to be made of water will constitute grounds for termination of service.

6) Resale of Water. Under no circumstances will a customer be allowed to resell or give away water except under the terms of a special contract executed by the utility and approved by the Public Service Commission. Failure to comply with this rule will constitute grounds for termination of service.

7) Waste or Misuse. Waste or misuse of water due to improper or imperfect service pipes and/or failure to keep said pipes in suitable state of repair will constitute grounds for termination of service.

8) Tampering with meter, meter seal, service, valves, or other system facilities, or permitting such tampering by others will constitute grounds for termination of service.

9) Connections, cross-connections, or permitting the same, of any separate water supply to premises that receive water from the utility will constitute grounds for termination of service.

e) The utility will not terminate service to a customer if the following conditions exist:

1) If payment for services is made. Service will not be terminated to a customer that was sent a termination notice if the customer delivers full payment to the utility prior to the actual termination of service.

2) If a partial payment agreement is in effect. Service will not be terminated for nonpayment if the customer and the utility have entered into a partial payment plan and the customer is meeting the requirements of the plan.

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3) If a medical certificate is presented. Service will not be terminated for thirty (30) days beyond the termination date if a physician, registered nurse or public health officer certifies in writing that termination of service will aggravate a debilitating illness or infirmity on the affected premises. The utility may refuse to grant consecutive extensions for medical certificates past the original thirty (30) days unless the certificate is accompanied by an agreed partial payment plan. The utility will not require a new deposit from a customer to avoid termination of service for a thirty (30) day period who presents to the utility a medical certificate certified in writing by a physician, registered nurse or public health officer.

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L. Meter Testing:

1. Water meters will be tested before being installed for use by any customer. The water meter will be in good working order and adjusted as close to the optimum operating tolerance as possible, in accordance with Public Service Commission Rules and Regulations.
2. The utility may have all or part of its meter testing performed by another utility or agency approved by the Public Service Commission. The utility will notify the Public Service Commission of the make, type, and serial number of standards used for testing.
3. The utility cannot place in service any basic measurement standard unless the Public Service Commission has approved the calibration. The Public Service Commission will be notified promptly of the adoption or deletion of any basic standards requiring approval of the calibration.
4. Meter testers must be certified by the Public Service Commission. Certified meter testers will perform tests as necessary to determine the accuracy of the utility's meters and to adjust the utility's meters to the degree of accuracy required by the rules and regulations of the Public Service Commission.

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M. Meter Test Records:

1. A complete record of all meter tests and adjustments and data sufficient to allow checking of test calculations will be recorded by the meter tester. Such record will include: information to identify the unit and its location; date of tests; reason for such tests; readings before and after test; statement of "as found" and "as left" accuracies sufficiently complete to permit checking of calculations employed; notations showing that all required checks have been made; statement of repairs made, if any; identifying number of the meter; type and capacity of the meter; and the meter constant. The complete record of tests of each meter will be continuous for at least two (2) periodic test periods and will in no case be less than two (2) years.

2. The utility will keep numerically arranged and properly classified records for each meter owned, used and inventoried by the utility. The identification number, date of purchase, name of manufacturer, serial number, type, rating, and name and address of each customer on whose premises the meter has been in service with date of installation and removal will be included in the records. These records will also contain condensed information concerning all tests and adjustments including dates and general results of such adjustments. The records will reflect the date of the last test and indicate the proper date for the next periodic test required by the applicable Public Service Commission rule and/or regulation.

3. Upon completion of adjustment and test of any meter pursuant to Public Service Commission rules and regulations, the utility will affix to the meter a suitable seal in such a manner that adjustments or registration of the meter cannot be altered without breaking the seal.

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N. Customer Requested Meter Tests:

1. The utility will make a test of any meter upon written request of any customer if the request is not made more frequently than once every twelve (12) months. The customer shall be given the opportunity to be present at the requested test. If the test shows that the meter was not more than two (2) percent fast, the utility will make a reasonable charge for the test, the amount being approved by the Public Service Commission and set out in the utility's tariff.

2. After having first obtained a test from the utility, any customer of the utility may request a meter test by the Public Service Commission upon written application. Such request shall not be made more frequently on one (1) meter than once every twelve (12) months.

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O. Access to Property:

1. The utility shall at all hours have access to meters, service connections, and other property owned by it and located on customer's premises for purposes of installation, maintenance, meter reading, operation, replacement or removal of its property at the time service is terminated. Any employee of the utility whose duties require him/her to enter the customer's premises will wear a distinguishing uniform or other insignia identifying him/her as an employee of the utility, or show a badge or other identification which will identify him/her as an employee.
2. Obtaining easements and right-of-ways necessary to extend service will be the responsibility of the utility.
3. All customers must grant, convey, or cause to be granted or conveyed to the utility a perpetual easement and right-of-way across any property owned or controlled by the customer wherever necessary for the utility's facilities in order to provide service.
4. The utility cannot require a prospective customer to obtain easements or rights-of-way on property not owned by the prospective customer as a condition for providing service. However, the cost of obtaining easements or rights-of-way will be included in the total per foot cost of an extension, and will be apportioned among the utility and customer in accordance with the applicable extension administrative regulation.

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P. Location of Records: All records required by Public Service Commission rules and regulations will be kept in the office of the utility and will be made available to representatives, agents or staff of the Public Service Commission upon reasonable notice at all reasonable hours.

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IN CASE NO. _____ DATED _____

KENTUCKY
PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN
EXECUTIVE DIRECTOR
TARIFF BRANCH
Bunt Kirtley
EFFECTIVE
9/1/2011
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

FOR Caldwell County, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____SHEET NO._____

Caldwell County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO._____

_____SHEET NO._____

RULES AND REGULATIONS

Q. Safety Program: The utility will adopt and execute a safety program, appropriate to the size and type of its operations. At a minimum, the safety program will:

1. Establish a safety manual with written guidelines for safe working practices and procedures to be followed by utility employees.
2. Instruct employees in safe methods of performing their work.
3. Instruct employees who, in the course of their work, are subject to the hazard of electrical shock, asphyxiation or drowning, in accepted methods of artificial respiration.

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R. System Inspections:

1. The utility will adopt inspection procedures to assure safe and adequate operation of its facilities and compliance with Public Service Commission rules and regulations. These procedures will be filed with the Public Service Commission for review.
2. Upon receipt of a report of a potentially hazardous condition at any utility facility made by a qualified employee, public official, or customer, the utility will inspect all portions of the system which are the subjects of the report.
3. Appropriate records will be kept by the utility to identify the inspection made, deficiencies found and action taken to correct the deficiencies.
4. Inspections. The utility will make systematic inspections of its system in the manner set out below to insure that the Public Service Commission's safety requirements are being met. These inspections will be made as often as necessary but not less frequently than is set forth below for various classes of facilities and types of inspection.
   a) The utility will annually inspect all structures pertaining to source of supply for their safety and physical and structural integrity, including dams, intakes, and traveling screens. The utility will semiannually inspect supply wells, their motors and structures, including electric power wiring and controls for proper and safe operation.
   b) The utility will annually inspect all structures pertaining to purification for their safety, physical and structural integrity and for leaks, including sedimentation basins, filters, and clear wells; chemical feed equipment; pumping equipment and water storage facilities, including electric power wiring and controls; hydrants, mains, and valves.
   c) The utility will monthly inspect construction equipment and vehicles for defects, wear, operational hazards, lubrication, and safety features.

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RULES AND REGULATIONS

S. Reporting of Accidents, Property Damage, or Loss of Service:

1. Within two (2) hours following discovery the utility will notify the Public Service Commission by telephone or electronic mail of any utility related accident which results in:
   a) Death; or shock or burn requiring medical treatment at a hospital or similar medical facility, or any accident requiring inpatient overnight hospitalization;
   b) Actual or potential property damage of $25,000 or more; or
   c) Loss of service for four (4) or more hours to ten percent (10%) or 500 or more of the utility's customers, whichever is less.
2. A summary written report will be submitted by the utility to the Public Service Commission within seven (7) calendar days of the utility related accident.

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T. Continuity of Service:

1. Emergency interruptions. The utility will make all reasonable efforts to prevent interruptions of service and when such interruptions occur will endeavor to reestablish service with the shortest possible delay consistent with the safety of its consumers and the general public. If an emergency interruption of service affects service to any public fire protection device, the utility will immediately notify the fire chief or other public official responsible for fire protection.

2. Scheduled interruptions. If the utility finds it necessary to schedule an interruption of its service, it will notify all customers to be affected by the interruption, stating the time and anticipated duration of the interruption. Whenever possible, scheduled interruptions will be made at hours of least inconvenience to customers. If public fire protection is provided by mains affected by the interruptions, the utility will notify the fire chief or other officials responsible for fire protection of the interruption, stating the time and anticipated duration. The fire chief or other official responsible for fire protection will be notified immediately upon restoration of service.

3. Record of interruptions. The utility will keep a complete record of all interruptions on its entire system. This record will show the cause of interruption, date, time, duration, remedy and steps taken to prevent recurrence.

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U. Pressures:

1. Standard pressure. The utility will maintain a standard pressure in its distribution system at locations to be designated as the point or points of "standard pressure." The selection of such points will be confined to locations fairly representative of average conditions. In selecting points for fixed standard pressure, the utility may divide its distribution system into districts if division is necessary due to differences of elevation or loss of pressure because of friction, or both, and may either adopt a standard pressure for each division or establish a single standard pressure for its distribution system as a whole. In no case will the constant difference between the highest and lowest pressures in a district for which a standard has been adopted exceed fifty percent (50%) of such standard. The utility may, in extenuating circumstances, furnish service that does not comply with the foregoing specifications if the customer is fully advised of the conditions under which average service may be expected. The Public Service Commission, upon investigation, may require improvements when it appears right and proper that such upgrades should be made. In no event, however, will the pressure at the customer's service pipe under normal conditions fall below thirty (30) psig nor will the static pressure exceed 150 psig.

2. Pressure surveys. At least once a year the utility will make a survey of pressures in its distribution system of sufficient magnitude to indicate the quality of service being rendered at representative points in its system. Pressure charts for these surveys will show the date and time of beginning and end of the test and the location at which the test was made. Records of these pressure surveys will be maintained at the utility's office and will be made available to the Public Service Commission upon request.

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V. Service Lines & Connections:

1. The utility will furnish and install at its own expense for the purpose of connecting its distribution system to the customer's premises that portion of the service connection from its main to and including the meter and meter box. The utility will recoup this expense from the customer in accordance with KRS 278.0152.
2. In areas where the distribution system follows well-defined streets and roads, the customer's point of service will be located at that point on or near the street right-of-way or property line most accessible to the utility from its distribution system. In areas where the distribution system does not follow streets and roads, the point of service will be located as near the customer's property line as practicable. Prior to installation of the meter the utility will consult with the customer as to the most practical location.
3. Depth of service line. All service lines must be laid at a sufficient depth per Kentucky State Plumbing Code Requirements to prevent freezing during the coldest weather normally experienced except where services are not intended for use during freezing weather and are actually drained during such periods.
4. A plumbing permit from the appropriate regulatory agency is required before the utility can set the meter.
5. The applicant/customer must furnish and lay the necessary pipe to make the connection from the point of service to the point of usage and be financially responsible for all costs associated with the installation and maintenance of his/her service line plumbing, including a shut-off valve and one-way check valve, installed on his/her property beginning at the outlet side of the water meter. The service line must be kept in good repair and in accordance with utility and Public Service Commission rules and regulations.
6. The installation and maintenance of the water service line must be in accordance with the rules and regulations of the Kentucky Department of Health.
7. A cross-connection of the utility's system with any other source is strictly prohibited.
8. A well that has or is being used on the premises must be inspected by utility personnel to verify disconnection and separation.

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9. All service lines on the customer's side of the meter must consist of copper or PVC pipe with a rating of no less than 200 psi, and should not be less than 3/4 inches.
10. Absolutely no galvanized pipe or fittings can be used in the installation.
11. The utility will not set a meter on a customer's service line at a point that does not deliver 30 psig at the meter.
12. If the applicant/customer's point of usage is at a higher elevation than the meter, the customer should consult with a reputable engineering firm to properly size the service line from the meter to the point of usage.
13. Should an applicant/customer desire a higher pressure due to location or other need, provisions must be made by the applicant for an individual pressure booster system. The manner of connection, location cross-connection protection and type is subject to approval by the utility. The utility reserves the right to require discontinuance and disconnection should the private booster system have a detrimental effect on the utility's system.
14. Piping on the premises of the applicant/customer must be installed so that connections are conveniently located with respect to the utility's lines and mains. A place must be provided for metering that is unobstructed and accessible at all times.
15. The utility may require the applicant/customer at his/her own expense, to install a back-flow preventer and/or pressure regulator.
16. All meters will be installed, renewed, and maintained at the expense of the utility, and the utility reserves the right to approve the size and type of meter used.
17. All taps and connections to the mains of the utility must be made by and/or under the direction and supervision of utility personnel and will incur a meter connection/tap-on charge, an amount that has been approved by the Public Service Commission for such service. Payment of this fee is for the privilege of connecting to the water system and the payment of the fee does not constitute the purchase of a water meter.
18. Should an applicant requesting a 5/8" x 3/4" meter require service on the opposite side of the road from the water main, the utility will provide the service at no additional cost to the customer other

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than the standard meter connection/tap-on charge. All larger size meters will be charged the actual cost of installing the meter, including, when applicable, the additional costs for crossing the road.

19. Any customer having boilers and/or pressure vessels that receive water from the utility must have a check valve on the water supply line and a vacuum valve on the steam line in order to prevent a collapse where the water supply from the utility may be interrupted or discontinued.

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W. Leak Adjustments: A customer will be allowed one (1) leak adjustment per twelve month period per meter:

1. Upon written request and approval leak adjustments will be granted to all customers.
2. The customer must provide a plumber's statement or list of materials showing that the leak has been repaired.
3. If approved, the bill will be adjusted by comparing the usage during the leak billing period to the average usage for the past twelve billing periods. A reasonable estimate will be used in cases when twelve prior periods of information do not exist.
4. The customer's bill will be based on two components. The first step will be to calculate the customer's average monthly usage over a twelve-month period. The second step will be to deduct the customer's average monthly usage (as calculated in the above) from the total amount of water that passed through the meter. The usage calculated in step one will be billed at the utility's regular rates, while the remaining usage will be charged at the per thousand gallon leak adjustment rate, as set forth in the rates and charges portion of the utility's approved tariff. All water passing through the meter must be accounted and paid for by the customer. So the customer will owe the amount of his/her average bill plus the per thousand gallon leak adjustment rate for the remainder of the water that passed through the meter.
5. If meter readings are not available for an entire twelve-month period, the water bill will be estimated by the utility, subject to an upward or downward adjustment once a twelve-month average of actual meter readings can be calculated.
6. Only one (1) leak adjustment will be made during a twelve-month period, and each adjustment may cover a maximum of two (2) billing periods.
7. Plastic pipe for repair of underground water service lines must be certified to withstand a working pressure of 200 lbs. per square inch or greater.

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X. Ownership of Mains, Services, and Appurtenances:

1. All mains, fire hydrants, valves, crossings, and other appurtenances are and shall remain the property of the utility, whether installed by the utility or the customer.
2. All service lines from the main to the meter with appurtenances are and shall remain the property of the utility, whether installed by the utility or the customer.
3. The customer shall install, own, and maintain his/her service line from the meter (or point of delivery) to the point of usage.

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Y. Notification of System Problems: The customer shall notify the utility immediately should the service be unsatisfactory for any reason, or should there be any defects, problems, trouble, or accidents affecting the water system.

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Z. Legal Disclaimers:

1. The utility shall in no event be held responsible for any claims made against it for reasons of system failure or interruption of service. No persons shall be entitled to damages or for any portion of a payment refunded for any system failure or interruption of service which in the opinion of the utility is deemed necessary.
2. No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance or equipment which is a part of the utility's water system. Any person violating this provision will be subject to immediate arrest and/or discontinuance of water service and shall pay the cost of repairing or replacing the utility's facilities.
3. If any loss or damage to the property of the utility or any accident or other injury to persons or property is caused by or results from the negligence or wrongful action of a customer, members of his/her household, his/her agent or employee, the cost of necessary repairs or replacements shall be paid by the customer of the utility and any liability otherwise resulting shall be that of the customer.
4. For purposes of fire protection, including any customer's fire protection system, the utility cannot guarantee a water supply at any particular flow rate or pressure. The fire flow may vary depending upon other water demands on the system, various water facility limitations, or other circumstances. The customer will indemnify and hold harmless the utility and its employees from and against all claims, damages, losses, and expenses incurred as a result of insufficient water supply or deficient system facilities.

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AA. Fire Departments:

Any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district ("User") may withdraw water from the utility's water distribution system for fighting fires or training firefighters at no charge on the condition that it maintains estimates of the amount of water used for fire protection and training during the calendar month and reports the amount of this water usage to the utility no later than the 15th day of the following calendar month.

Any User that withdraws water from the utility's water distribution system for fire protection or training purposes and fails to submit the required report on water usage in a timely manner shall be assessed the cost of this water. A User shall submit a monthly report even it withdraws no water for fire protection or training purposes.

A non-reporting User's usage shall be presumed to be 0.3 percent of the utility's total water sales for the calendar month. A non-reporting User may present evidence of its actual usage to rebut the presumed usage. The utility shall consider this evidence and shall adjust the presumed usage amount accordingly.

The non-reporting User shall be billed for this usage at the lowest usage block rate regardless of customer classification that the utility charges.

A non-reporting User shall also be assessed a penalty of $5.00 for each failure to submit a report in a timely manner.

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AB. Fire Hydrants:

1. In accordance with Public Service Commission Rules and Regulations, a new fire hydrant will not be installed unless:

   a) A professional engineer with a Kentucky registration has certified that the system can provide a minimum fire flow of 250 gallons per minute, and

   b) The system supporting this flow has the capability of providing this flow for a period of not less than two (2) hours plus consumption at the maximum daily rate.

2. The location, installation, and the responsibility for maintenance of fire hydrants, public and private fire protection facilities, connecting mains, and their ownership may be subject to negotiation between the utility and the applicant/customer. Fire hydrants and public and private fire protection facilities shall be installed as required by the utility and if owned by the utility shall be subject to any conditions the Public Service Commission may impose, based upon the compensation received for this service.

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AC. Reserved for Future Use

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AD. Requirements for New Water Connections:

1. The water line must be buried in a ditch that meets Kentucky State Plumbing Code Requirements.
2. The water line must be a minimum of 200 psi.
3. A shut-off valve must be installed.
4. A one-way check valve must be installed.
5. A pressure regulator may be required as prescribed by the utility.
6. There shall be absolutely no galvanized pipe or fittings used in the installation.
7. If a well is being used, it must be disconnected and the utility must inspect to verify separation.

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AE. Water Main Extensions:

1. Normal extension. Other than the approved meter connection/tap-on charge, an extension of fifty (50) feet or less shall be made by a utility to its existing distribution main without charge for a prospective customer who shall apply for and contract to use service for one (1) year or more.

2. Other extensions.

   a) When an extension of the utility's main to serve an applicant or group of applicants amounts to more than fifty (50) feet per applicant, the utility may require the total cost of the excessive footage over fifty (50) feet per applicant/customer to be deposited with the utility by the applicant or the applicants, based on the average estimated cost per foot of the total extension. Such deposit shall be refundable to the customer in certain instances, in accordance with Public Service Commission Rules and Regulations.

   b) When an extension of the utility's main to serve an applicant or group of applicants amounts to more than fifty (50) feet per applicant, the utility will require the applicant(s) to sign an agreement between the utility and the property owner (applicant/customer) that specifically define the responsibilities of each party with regards to the extension.

   c) Each customer who paid for service under such extension will be reimbursed under the following plan:

      For a period of five (5) years after construction of the extension, each additional customer whose service line is directly connected to the extension installed, and not to extensions or laterals therefrom, will be required to contribute to the cost of the extension based on a recomputation of both the utility's portion of the total cost and the amount contributed by the customers. The utility will refund to those customers that have previously contributed to the cost of the extension that amount necessary to reduce their contribution to the currently calculated amount for each customer connected to the extension. All customers directly connected to the extension for a five (5) year period after it is placed in service must contribute equally to the cost of construction of the extension. In addition, each customer must pay the approved tap-on fee applicable at the time of his/her application for the meter connection. The tap-on fee will not be considered part of the refundable cost of the extension and may be changed during the refund period. After the five (5) year

DATE OF ISSUE 07/14/2011
Month / Date / Year

DATE EFFECTIVE 09/01/2011
Month / Date / Year

ISSUED BY Jimmy Littlefield
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

KENTUCKY
PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN
EXECUTIVE DIRECTOR
TARIFF BRANCH
Bunt Kirtley
EFFECTIVE
9/1/2011
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

RULES AND REGULATIONS

refund period expires, any additional customer will be connected to the extension for the amount of the approved tap-on fee only. After the five (5) year refund period expires, the utility will be required to make refunds for an additional five (5) year period in accordance with Public Service Commission Rules and Regulations.

3. Nothing contained herein shall be construed to prohibit the utility from making extensions under different arrangements if such arrangements have received the prior approval of the Public Service Commission.

4. Upon complaint to and investigation by the Public Service Commission a utility may be required to construct extensions greater than fifty (50) feet upon a finding by the Public Service Commission that such extension is reasonable and that an extension of fifty (50) feet or less is unreasonable under the circumstances.

FOR Caldwell County, Kentucky
Community, Town or City

P.S.C. KY. NO. _____

_____ SHEET NO. _____

Caldwell County Water District
(Name of Utility)

CANCELLING P.S.C. KY. NO. _____

_____ SHEET NO. _____

RULES AND REGULATIONS

AF. Extension Procedures for Developers and/or Subdivisions:

1. Nothing contained herein shall be construed to prohibit the utility from contracting to make extensions under different arrangements if such arrangements have received the prior approval of the Public Service Commission.
2. An applicant desiring an extension to a real estate subdivision may be required to pay the entire cost of the extension. Under this plan, annually for a refund period of ten (10) years, the utility will refund to the applicant who paid for the extension a sum equal to the cost of fifty (50) feet of the extension installed for each new customer connected during the year whose service line is directly connected to the extension installed by the developer, and not to extensions or laterals therefrom. Total amount refunded will not exceed the amount paid to the utility. No refund will be made after the refund period ends.
3. The utility may also, upon Public Service Commission approval, contract privately with owners and/or developers of subdivisions for the installation of water service for the subject subdivision. The owners/developers, pursuant to these contracts, extend mains and install water service at their expense. The utility would not accept nor receive any contribution, cost reimbursement, or deposit from any customer (lot owner) in this circumstance and as contemplated by Public Service Commission Rules and Regulations.

DATE OF ISSUE 07/14/2011
Month / Date / Year

DATE EFFECTIVE 09/01/2011
Month / Date / Year

ISSUED BY JIMMY LITTLEFIELD
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

KENTUCKY
PUBLIC SERVICE COMMISSION
JEFF R. DEROUEN
EXECUTIVE DIRECTOR
TARIFF BRANCH
Bunt Kirtley
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9/1/2011
PURSUANT TO 807 KAR 5:011 SECTION 9 (1)

Caldwell County Water District
118 West Market Street
Princeton, KY 42445
(270) 365-9381

$30.00 CHARGE IF UNABLE TO ACCESS METER

~~$25.00 CHARGE FOR FAILURE TO READ YOUR METER.~~

ACCOUNT			TO	
SERVICE AT				
TYPE	PRESENT	PREVIOUS	USAGE	CHARGES
CLASS	AMOUNT DUE AFTER DUE DATE	DUE DATE		AMOUNT DUE ON OR BEFORE DUE DATE

ADDRESS SERVICE REQUESTED

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
PRINCETON, KY 42445
PERMIT NO. 116

RETURN THIS STUB WITH PAYMENT

ACCOUNT		DUE DATE
AMOUNT DUE ON OR BEFORE DUE DATE	SAVE THIS	AMOUNT DUE AFTER DUE DATE

ALL BILLS DUE AND PAYABLE BY DUE DATE SET FORTH ON EACH BILL

WATER DISTRICT IS NOT RESPONSIBLE FOR DELIVERY OF U.S. MAIL.

FAILURE TO RECEIVE BILL DOES NOT EXCUSE PAYMENT

CODES:

WA - WATER
~~SW - SEWAGE~~
~~SA - SANITATION~~
OT - OTHER
SC - METER READ CHARGE
MS - MISCELLANEOUS
UT - UTILITY TAX
TX - SALES TAX
AR - ARREARS
DP - APPLIED DEPOSIT
DI - DEPOSIT INTEREST

TO PAY YOUR BILL ONLINE
VISIT OUR WEBSITE AT:
www.caldwellwater.com

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Caldwell County Water District
118 West Market Street
Princeton, KY 42445
(270) 365-9381

Office Hours: 8:00 A.M. – 4:30 P.M. CST Monday-Friday
At the time this notice was prepared, our records indicated your utility bill was past due. To avoid termination of service, please pay the outstanding amount.
If your service(s) is disconnected, there will be a reconnection fee of $30.00 per metered service, and FULL payment must be received by our office before such reconnection is made. The District will NOT pay overtime for reconnection of customer accounts discontinued for nonpayment.
Reconnection hours are 8:00 A.M. – 3:00 P.M. CST Monday – Friday, except for holidays. If you have already paid your account or made WRITTEN payment arrangements, please disregard this notice.

CUT OFF NOTICE

ACCOUNT NUMBER:

SERVICE ADDRESS:
DUE DATE:

CUT OFF DATE:
TOTAL AMOUNT DUE:

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WATER USER AGREEMENT

This Agreement entered into between _____, whose address is _____, hereinafter called "USER," and the CALDWELL COUNTY WATER DISTRICT, of 118 W. Market Street, Princeton, KY 42445, hereinafter called "SUPPLIER."

WHEREAS, the USER desires to purchase water from the SUPPLIER, and the parties hereby enter into this Water User Agreement as required by the Bylaws of the SUPPLIER.

NOW THEREFORE, in consideration of the mutual covenants, promises, and agreements herein contained, it is hereby understood and agreed by the parties hereto as follows:

The SUPPLIER shall furnish, subject to the limitations set out in its ByLaws and Rules and Regulations now in force or as hereafter amended, such quantity of water as the USER may desire in connection with the property to be served by this agreement. The property to be served is a _____, located on _____.
(Residence, Mobile Home, etc.) Street, Highway, Road

The USER shall install and maintain at his own expense a service line which shall begin at the meter and extend to the dwelling or place of use. The location of the water meter will be determined by the SUPPLIER. The SUPPLIER shall purchase and install a cutoff valve and a water meter. The SUPPLIER shall have exclusive right to use such cutoff valve and water meter.

The USER shall connect his service lines to the water distribution system and shall commence to use water from the system on the date the water is available to him. **For new connections, it is understood and agreed that the USER will pay for service beginning on the date the meter setting is in place, regardless of whether the USER is connected to the system, or whether the USER is utilizing any water from the system. The amount charged will depend upon any usage, but at no time be less than the minimum bill for the USER'S appropriate customer classification. CHARGES WILL BE FOR A MINIMUM PERIOD OF 12 MONTHS.**

The tap on fee of the system is **$700.00.** The USER agrees to pay a deposit of $_____ and on demand the balance of $ _____ to the SUPPLIER. If the water system is constructed, but the property covered by this agreement is not reached by the SUPPLIER'S water line, the connection fee will be fully refunded to the USER. Construction of water lines to serve the property covered under this agreement depends upon feasibility, availability of funds for construction and approval of all local, state, and federal agencies having jurisdiction over this type of facility. **THE SUPPLIER DOES NOT GUARANTEE WATER SERVICE WILL BE MADE AVAILABLE TO THE USER.**

The USER agrees to comply with and be bound by the Articles, ByLaws and Rules and Regulations of the SUPPLIER, now in force or as hereafter duly and legally supplemented, amended, or changed. The USER agrees to pay for water at such rates, time and place as shall be determined by the SUPPLIER, and agrees to the imposition of such penalties for noncompliance as are now set out in the SUPPLIER'S ByLaws and Rules and Regulations, or which have been or hereafter be adopted and imposed by the SUPPLIER.

In the event the USER shall breach this agreement by refusing or failing, without just cause, to connect his service line to SUPPLIER'S distribution system as set forth above, the USER agrees to pay the SUPPLIER a lump sum of SEVEN HUNDRED DOLLARS AND NO/100 ($700.00) as liquidated damages. It is expressly understood and agreed by the parties hereto that the said amount agreed upon as liquidated damages is equitable in that a breach by the USER in either of the respects set forth above would cause serious and substantial damages to the SUPPLIER, and it would be difficult, if not impossible, to prove the amount of such damages. The parties hereto have computed, estimated, and agreed upon said sum in an attempt to make a reasonable forecast of probable actual loss because of the difficulty of estimating with exactness the resulting damages.

The SUPPLIER shall determine the allocation of water to the USER in the event of a water shortage; and may shut off water to the USER if he allows a connection or extension to be made of his service lines for the purpose of supplying water to another party. In the event the total water supply shall be insufficient to meet all of the needs of the users, or in the event there is a shortage of water, the SUPPLIER may pro-rate the water available among the various USERS on such basis as is deemed equitable by the GOVERNING BODY of SUPPLIER, and if at any time the total water supply shall be insufficient to meet all the needs of all of the USERS, the SUPPLIER must first satisfy all of the needs of all of the USERS, for domestic purposes before supplying any water for livestock purposes and the needs of al

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USERS for both domestic and livestock purposes before supplying any water for garden purposes.

The USER agrees that no present or future source of water will be connected to any waterlines served by the SUPPLIER'S waterlines and will disconnect from his present water supply prior to connecting to and switching to the SUPPLIER'S system (as certified by state plumbing inspectors) and shall eliminate present or future cross-connections in his system. The USER further agrees, at USER'S expense, to install a thermo expansion tank and/or a pressure-temperature relief valve on USER'S water system. Said thermo expansion tank and/or pressure-temperature relief valve to be approved by the Kentucky State Division of Plumbing Inspector. The failure of the USER to pay water charges duly imposed shall result in the automatic imposition of the following penalties:

1. Non-payment within TEN (10) days from the due date will be subject to a penalty of **10%** of the delinquent account.

2. Non-payment within THIRTY (30) days from the due date will result in the water being shut off from the USER'S property.

3. In the event it becomes necessary for the SUPPLIER to shut off the water from the USER'S property, a minimum fee of **$30.00** will be charged for a re-connection of the service. The actual re-connection fee will be the current re-connection fee as set forth in Supplier's Bylaws, Rules and Regulations.

It is understood and agreed that the SUPPLIER reserves the right to determine the size of service connection to be used to supply water to the USER. A 5/8" X 3/4" meter will be used unless the USER contracts for a larger meter. A separate meter must be installed for each residence. A separate contract will be used by trailer parks when trailers are not supplied by individual meters.

The USER agrees to grant to the SUPPLIER its successors and assigns a perpetual easement in, over, under and upon land owned by the USER, with the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove water pipelines and appurtenant facilities, together with the right to utilize adjoining lands belonging to the USER for the purpose of ingress to and egress from the said lands.

IN WITNESS WHEREOF, we have executed this agreement this _____, day of _____, 20____.

WITNESS:

_____

_____
WATER USER

_____
WATER USER (SPOUSE)

CALDWELL COUNTY WATER DISTRICT

BY:_____
CHAIRMAN

Attest:

_____

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WATER SHORTAGE RESPONSE PLAN

CALDWELL COUNTY WATER DISTRICT

Section 1. Purpose. The purpose of this Plan is to provide for the declaration of official phases of water supply shortages and the implementation of voluntary and mandatory water conservation measures throughout the Caldwell County Water District in the event a shortage is declared.

Section 2. Definitions. These terms are applicable only for this Plan unless specifically noted.

a. "Customer" shall mean any person or entity using water for any purpose from the Caldwell County Water District water distribution system and for which either a regular charge is made or, in the case of bulk sales, a cash charge is made at the site of delivery.
b. "Raw Water Supplies" shall mean all water potentially available to persons in the Caldwell County Water District.
c. "Treated Water" shall mean water that has been introduced by the Caldwell County Water District into its water distribution system, including water offered for sale. Uses of treated water are classified as follows:

Essential Water Uses (Class 1):

The following uses of water, listed by site or user type, are essential.

Domestic:

- water necessary to sustain human life and the lives of domestic pets, and to maintain minimum standards of hygiene and sanitation.

Health Care Facilities:

- patient care and rehabilitation, including related filling and operation of swimming pools.

Water Hauling:

- sales of domestic use where not reasonably available elsewhere.

Public Use:

- firefighting,

- health and public protection purposes, if specifically approved by health officials.

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Socially or Economically Important Uses (Class 2):

The following uses of water, listed by site or user type, are socially or economically important.

Domestic:

- personal, in-house water use including kitchen, bathroom and laundry.

Water Hauling:

- non-domestic, when other sources are not reasonably available elsewhere.

Commercial and Civic Use:

- commercial car and truck washes,
- laundromats,
- restaurants, clubs and eating places,
- schools, churches, motels/hotels and similar commercial establishments.

Outdoor Non-Commercial Watering:

- minimal watering or vegetable gardens,
- minimal watering of trees where necessary to preserve them.

Outdoor Commercial or Public Watering (using conservation methods and when other sources of water are not available or feasible to use):

- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to maintain stock,
- watering at a minimum rate necessary to establish or maintain revegetation or landscape plantings required pursuant to law or regulation,
- watering or wood plants where necessary to preserve them,
- minimal watering of golf course greens.

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Recreational:

- operation or municipal swimming pools and residential pools that serve more than 25 dwelling units.

Air Conditioning:

- refilling for startup at the beginning of the cooling season,

- makeup of water during the cooling season,

- refilling specifically approved by health officials where the system has been drained for health protection or repair services.

Non-Essential Uses (Class 3):

Any waste of water, as defined herein, is non-essential. The following uses of water, listed by site or user type, are non-essential.

Public Use:

- use of fire hydrants (excluding Class 1 and Class 2 uses), including use of sprinkler caps, testing fire apparatus and fire department drills,

- flushing of sewers and hydrants except as needed to ensure public health and safety as approved by health officials.

Commercial and Civic Use:

- serving water in restaurants, clubs, or eating places, except by customer request,

- failure to repair a controllable leak,

- increasing water levels in scenic and recreational ponds and lakes, except for the minimum amount required to support fish and wildlife.

Ornamental Purposes:

- fountains, reflecting pools and artificial waterfalls.

Outdoor Non-Commercial Watering:

- use of water for dirt control or compaction,

- watering of annual or non-woody plants, lawns, parks, golf course fairways, playing fields and other recreational areas,

- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,

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- washing down buildings or structures for purposes other than immediate fire protection,

- flushing gutters or permitting water to run or accumulate in any gutter or street.

Outdoor Commercial or Public Watering:

- expanding nursery facilities, placing new irrigated agricultural land in production, or planting of landscaping except when required by a site design review process,

- use of water for dirt control or compaction,

- watering of lawns, parks, golf course fairways, playing fields and other recreational areas,

- washing sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surface areas,

- washing down buildings or structures for purposes other than immediate fire protection,

- flushing gutters or permitting water to run or accumulate in any gutter or street.

Recreational uses other than those specified in Class 2.

Non-commercial washing of motor and other vehicles.

Air Conditioning (see also Class 2 purposes):

- refilling cooling towers after draining.

d. "Base Entitlement" shall mean the monthly usage for a customer during the same month of the preceding calendar year or the average per customer usage for each class of service during the same month of the preceding year.
e. "Curtailed Entitlement" shall mean the monthly usage for a customer after any a customer after any curtailment percentage has been applied.
f. "Curtailment" shall mean the reduction in entitlement by some percentage to meet anticipated water shortages.
g. Water Shortage Response Phases:

"Advisory" shall mean that conditions exist which indicate the potential for serious raw or treated water supply shortages.

"Alert" shall mean the raw or treated water supplies are consistently below seasonal averages, and if they continue to decline, may not be adequate to meet normal needs.

"Emergency" shall mean that raw or treated water supplies are below the level necessary to meet normal needs and that serious shortages

h. **"Rationing"** shall mean that procedures must be established to provide for the

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equitable distribution of critically-limited raw or treated water supplies, in order to balance demand and limited available supplies, and to assure that sufficient water is available to preserve public health and safety.

Section 3. Applicablity. The provisions of the Plan shall apply to all retail and wholesale customers of the Caldwell County Water District. When implemented, this Plan becomes Caldwell County Water District Water Shortage Response Regulation.

Section 4. Entitlements. Entitlements shall be established for each customer by adjusting the base entitlement to reflect any known change in usage pattern.

Section 5. Determination of Water Shortage. Water supply and usage shall be monitored on a continuous basis. Unrestricted demand shall be projected from past records and adjusted for changes such as new developments and weather conditions on a regular basis. (Note: A sample calculation page is attached as Appendix A to assist in determining overall levels. It is important that accurate water measurements be used.) Water shortages generally occur for two reasons, a reduction in available supplies or a system failure. Each of these has a distinct influence on the nature and duration of the conservation program implemented. Official declaration of a water shortage stage and implementation of the measures necessary to curtail water use shall be approved by the Caldwell County Fiscal Court and the Caldwell County Water District.

Section 6. Term of Water Shortage Declaration. Any water shortage declaration shall remain in effect until water supplies of service conditions have returned to normal. A final determination as to terminating a water shortage declaration shall be made by the Chairman of Caldwell County Water District.

Section 7. Water Shortage Stage, Criteria, Conservation and Curtailment Measures.

A. Advisory Stage:

1. Criteria: A water advisory shall be declared when the amount of treated water or raw water available for treatment is projected to be up to 20% below demand, or there are periods of low water pressure in one or more areas of the distribution system due to system failure or inadequacies or the State Division of Water issues a Water Shortage Watch which includes the areas from which the Caldwell County Water District draws water. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

   a. Declare a Water Shortage Advisory.
   b. Provide proper notice to all customers and to all local news media.
   c. Eliminate all water leaks.
   d. Request voluntary conservation of all non-essential (Class 3) water use.
   e. Request wholesale customers also issue request for voluntary conservation by their customers of all non-essential (Class 3) wat

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B. Alert Stage:

1. Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 20% below demand, or raw water supplies are consistently below seasonal averages and if they continue to decline, may not be adequate to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

   a. Declare Water Shortage Alert.
   b. Provide proper notice to all customers and to all local news media
   c. Eliminate all water leaks.
   d. Prohibit all non-essential (Class 3) water uses.
   e. Curtail entitlements to all customers by the same percentage as the projected shortage.
   f. Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of $4.00 per 1,000 gallons.

C. Emergency Stage:

1. Criteria: A Water Emergency shall be declared when the amount of treated water available is projected to be up to 15% below demand, or there are periods of no water in one or more areas of the distribution system due to low water supply or raw water supplies below the level necessary to meet normal needs. (Note: Additional conditions may be added based on local conditions.)

2. Conservation and Curtailment Measures:

   a. Declare Water Shortage Emergency.
   b. Provide proper notice to all customers and to all local news media.
   c. Eliminate all water leaks.
   d. Prohibit all Class 3 uses of water.
   e. Prohibit all Class 2 uses of water except Domestic uses for kitchens, bathrooms and laundries.
   f. Curtail all commercial and industrial entitlements (except Health Care Facilities) by 100%.
   g. Curtail Residential entitlements by the same percentage as the projected shortage.
   h. Curtail entitlements to all wholesale customers by the same percentage as the projected shortage.
   i. Begin billing all customer water usage in excess of curtailed entitlement at the normal rate plus an excess usage charge of $8.00 per 1,000 gallons.

D. Rationing Stage:

1. Criteria: Treated water available is greater than 10% below demand, or raw water supplies are below the level necessary to meet essential needs. In the opinion of Caldwell County Water District mandatory rationing is required to insure

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adequate water is available to maintain public health and safety.

2. Conservation and Curtailment Measures:

a. Declare Water Shortage Rationing.
b. Provide proper notice to all customers and to all local news media.
c. Eliminate all water leaks.
d. Prohibit all Class 3 and Class 2 uses of water.
e. Curtail all commercial and industrial entitlement (except Health Care Facilities) by 100%.
f. Curtail all residential and wholesale entitlements by the same percentage as the projected shortage.
g. Implement service interruptions to portions of system in accordance with approved published schedule. The schedule shall be provided to all local media.
h. Begin billing customer water usage in excess of curtailment entitlement at the normal rate plus an excess usage charge of $18.00 per 1,000 gallons.

Section 8. Enforcement of Water Restriction. Any person who violates the provisions of this Plan, who fails to carry out the duties and responsibilities imposed by this Plan, or who impedes or interferes with any action undertaken or ordered pursuant to this Plan shall be subject to the following:

a. If the utility official charged with implementation and enforcement of this Plan learns of any violation of any water use restriction imposed, a written notice of the violation shall be affixed to the property where the violation occurred and mailed to the customer of record. Said notice shall describe the violation and order that it be corrected, cured, or abated immediately or within 48 hours.
b. The notice will inform the customer of his or her right to appeal by requesting a hearing before the utility's designee. If a hearing is requested by the customer, he or she shall be given full opportunity to be heard before termination. The governing body shall make findings of fact and decide whether service should continue or terminate.
c. Any customer whose water service is terminated for violating provisions of this water curtailment plan shall be subject to the approved reconnection fee prior to reconnection of service.
d. The excess usage charge billing provisions of this Plan shall not be put in effect if a county or city ordinance containing penalty provisions is in effect to assist enforcement of this Plan.

Section 9. Request for Exception.

a. Exception to water use restrictions: If compliance with any curtailment measure authorized herein would cause a customer to bear extraordinary hardship, that individual or entity may apply to the Caldwell County Water District for an exception. For these purposes, "extraordinary hardship" shall be defined as a condition which may threaten health and safety, or cause property or economic losses, each of which must be shown to be substantially more severe than the sacrifices borne by other users. If extraordinary hardship is found to exist, then an exception shall be granted and a written waiver issued to the customer. If an appeal is made, the decision shall be continued until a decision is announced. Any person aggrieved by the decision may

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file a complaint with the Public Service Commission.

b. Exception to curtailment surcharge: Exceptions to excess use charges shall not be considered or granted.

Section 10. Severability. If any provision of this Plan is declared invalid by the courts, the remainder of the Plan is declared invalid by the courts, the remainder of the Plan and its applicability
to other persons and circumstances shall not be affected by that declaration.

Section 11. Effective Date. This Plan shall take effect immediately upon approval by the Public Service Commission.

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