abandoned P.W. Case # 95-174, 7-28-95

	Case # 95-174, 7-28-95
	P.S.C. Ky. No
	Cancels P.S.C. Ky. No
	Bartonville Lake Acres Inc:
	OF
	Wayne County, Monticello, Ky 42633
	811 North Main St.
	Rates, Rules and Regulations for Furnishing
	WATER SERVICE
	AT
	South Central portion of Wayne County R R 3
	Serving 10 resident home owners on Lake Cumberland Area
	Filed with PUBLIC SERVICE COMMISSION OF
	KENTUCKY PUBLIC SERVICE COMMISSION OF KENTUCKY
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	PURSUANT TO 807 KAR 5:011,
	SECTION 9 (1)
	BY: BRUNCERVICE COMMISSION MANAGER TES Inc
	ISSUED BY Device Communication (Name of Utility)
	Leuro Vale
	BA TEMTE D Tare
	President

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	SHEET NO.
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RIILES AN	ND REGULATIONS

These Rules and Regulations govern the furnishing of Bartonville Lake Acres Inc Water District hereinafter referred to as the District and apply to all service received from the District. No employee or individual Commissioner of the District is permitted to make an exception to these Rates, Rules, or Regulations. These Rules and Regulations are to be in effect so long as they are not in conflict with the Kentucky Public Service Commission's Rules and Regulations (807 KAR 5:001 - 5:076). The District is subject to all Rules and Regulations of the Kentucky Public Service Commission even though not Contained herein.

1. SCOPE

This Schedule of Rules and Regulations is a part of all contracts for receiving water service from the District, and applies to all service received from the District whether the service is based upon contract, agreement, signed application, or otherwise. A copy of this schedule, together with a copy of the District's Schedule of Rates and Charges shall be kept open to inspection at the office of the District. The Rules are promulgated under direction and authority granted pursuant to Chapter 5 of Kentucky Administrative Regulations (807 KAR 5). The aforesaid rules amd regulations are hereby adopted and included the same as if herein written.

2. REVISIONS

These Rules and Regulations May be revised, amended supplemented or otherwise changed from time to time by either of the two (2) following methods:

A. By order of the Kentucky Public Service Commission upon formal application by the District, and after hearing as provided by Commission Regulation set forth in 807 KARPUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

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B. By issuing and filing on at least twenty (20) days notice to the Kentucky Public Service Commission and the Public all prosed changes in the Rules and Regulations, as provided by Commission Regulations set for in 807 KAR 5:011.

3. CONFLICTS

In case of conflict between any provisions of any rate schedule and the schedule of rules and regulations, the rate schedule shall apply. Also, should the rules contained herein conflict with rules in effect under 807 KAR 5, the provisions of 807 KAR 5 shall take precedence over those contained herein.

4. APPLICATION FOR SERVICE

Any person, firm, agency or governmental entity within the current boundary of the District may request service. Applications for service must be in writing on a form approved by the District.

Each applicant for service shall be required to execute and sign the District's standard application for water service before service is supplied by the District. Under Kentucky Public Service Commission Order, dated September 1, 1981, Case No. 8248, a 5/8" x 3/4" meter shall be the standard customer service meter and should be installed at all points of service unless the customer provides sufficient justification for the installation of a larger meter.

5. NON-STANDARD SERVICE

Each prospective customer requiring a non-standard service (i.e., other than a 5/6" x 3/4" meter) shall present to the District sufficient justification for same. Insofar as prospective customer requirement may meet those non-standard service presently in effect by District same be applied.

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6. POINT OF DELIVERY

The point of delivery is the point where the meter or vault is located on the customer's premises. All water lines, plumbing, and equipment beyond the meter shall be installed and maintained by the customer. The District reserves the right to determine the location of point of delivery with full regard to those wishes of the prospective customer.

7. CUSTOMER'S SERVICE LINE

All service lines beyond the metering point should be installed of material consisting of copper, galvanized, PVC or PE pipe with rating mot less than 200 psi. The size of service line beyond the point of delivery should not be less than 3/4".

Should an applicant for service desire a higher presure due to his location or need, he may make provision for an individual pressure booster system. The manner of connection, location cross-connection protection and type is subject to approval by the District. The District reserves the right to require discontinuance and disconnection should the private booster system have a detrimental effect on the District's system.

8. OWNERSHIP OF MAINS, SERVICES & APPURTENANCES

All mains, fire hydrants, valves, crossings and other appurtenances are and shall remain the property of the District, whether installed by the District or the customer.

All service lines from main to meter with appurtenances shall be and remain the property of the District, whether installed by the District or the customer.

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	RULES AND REGULATIONS

The customer shall, own and maintain his service line from meter and/or point of delivery as defined herein.

9. DISCONTINUANCE OF SERVICE BY DISTRICT

Water service may be discontinued by the District for any violation of any rule, regulation, or conditition, and especially for any of the following reasons:after proper notification:

- A. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water, with 10 days notice.
- B. Resale of water.
- C. Waste or misuse of waste due to improper or imperfect service pipes and/or failure to keep such pipes in a suitable state of repair.
- D. Tampering with meter, meter seal, service, or valves, or permitting such tampering by others, pursuant to Section 14 (3)(g)
- E. Connection, cross-connection, or permitting the same, of any separate water supply to premises which receive water from the District.
- F. Non-payment of bills, pursuant to Section 14, (2).
- G. When a dangerous condition is found to exist on the customer's or applicant's premises, with reference to the continuation of water service, water service shall be cut off without notice or shall be refused, provided the District shall notify the customer or applicant immediately of the reasons for the discontinuance or refusal and the corrective action to be taken by the applicant or customer before services commission restored.

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10. BILLING

Bills and notices relating to the conduct of the business of the District will be mailed to the customer at the address listed on the "User's Agreement" unless a change of address has been filed in writing with the District; and then District shall not otherwise be responsible for delivery of any bill or notice nor will the customer by excused from the payment of any bill or any performance required in said notice.

Bills for water service are due and payable at the office of the District, or to any designated agent on the date of issue. The past due date shall be the twentieth (20th) day after the date of issue. Bills will be dated and mailed on or about the twenty-third (23rd) of each month.

A bill not paid on or before the past due date shall be deemed delinquent. When a bill has been delinquent for a period of twenty days, the District shall serve the delinquent customer a written final notice of said delinquency, and of the intent of the District to discontinue service ten days after the date of such notice unless such bill is paid prior to the expriation of such ten days. If a delinquent bill is not paid within ten days after date of such final notice (thirty days from the past due date), the water supply to the customer may be discontinued without further notice; provided, however, if, prior to discontinuance of service, there is delivered to the District, or its employee empowered to discontinue service, a written certificate signed by a physician, a registered nurse, or a public health officer that, in the opinion of the certifier, discontinuance of service will aggravate an existing illness or infirmity of the affected premises, service shall not be discontinued until the affected resident can make other living arrangements or until thirty (30) days elapse from the time of the District receipt of said certification or which ever occurs first

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11. DISCONTINUANCE OF SERVICE BY CUSTOMER

Any customer having fulfilled their contract terms and desiring to discontinue the water service to his premises for any reason must give notice of discontinuance in writing at the business office of the District at least three (3) days prior to the date on which the customer desires to discontinued service. If such notice in writing is not given, a customer shall remain liable for all water used and service rendered to his premises by the District until said notice is received by the District. Notice may also be given in person or by phone.

12. RECONNECTION FEE

Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge of \$15.00 will be made for reconnection of water service, but the reconnection will not be made until all delinquent bills and other charges, if any, owed by the customer to the District have been paid.

13. DEPOSIT

The District reserves the right to require that a nominal amount be placed on deposit with the District for the purpose of establishing or maintaining any customer's credit. The deposit will not exceed two-twelfths (2/12) of the customer's estimated annual bill. Upon payment of deposit, the District shall issue to the customer a certificate of deposit, showing the name of the customer, the location of the initial premises occupied by the customer, and the date and amount of the deposit.

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	RULES AND REGULATIONS

Interest will be paid on deposits as required by law, on an annual basis either by refund or credit to the customer's bill, except that no refund or credit will be made if the customer's bill is delinquent on the anniversary date of the deposit.

14. ADJUSTMENT RELATIVE TO ERRONOUS METER

If upon periodic test, request test, or complaint test a meter in service is found to be more than two percent fast, additional tests shall be made to determine the average error of the meter. Said tests shall be made in accordance with commission regulations applicable to the type of meter involved.

If test results show an average error greater than two percent fast or slow, or if a customer has been incorrectly billed for any other reason the utility shall immediately determine the period during which the error has existed, and shall recompute and adjust the customers bill to either provide a refund to the customer or collect an additional amount of revenue from the underbilled customer. The utility shall 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, the time period shall 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 similiar customer loads shall 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 commission shall determine the issue. In all instances of overbilling the cu customer's account shall be credited or the overbilling amount refunded at the discretion of the customer within 30 days after final meter test results. Customer repayment of underbilling will not be made over a period shorter than a period coextensive with the underbilling.

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- B. If the result of such tests shows an average error greater than 2% slow, the customer's bill for the period during which the meter error is known to have existed, shall be recomputed and the account adjusted on the basis of the test. If the period during which the meter error existed cannot be determined, then the bill will be adjusted pursuant to 807 KAR 5:006, Section 10.
- C. If the result of such tests necessitates making a refund or back billing a customer, the customer shall be notified in writing of the percentage of error, fast or slow, the date(s) of testing, and the amount of charge or credit to be shown on the next bill of the customer.

15. METERS

All meters shall be installed, renewed, and maintained at the expense of the District, and the District reserves the right to approve the size and type of meter used. It shall be the policy of the District to test each water meter pursuant to Public Service Commission Regulation 807 KAR 5:066 Section 16. In addition, upon written request of any customer, the meter servicing such customer shall be tested by the District, pursuant to Public Service Commission Regulation 807 KAR 5:006, Section 20.

16. FAILURE OF WATER METER

Where a meter is found to be in error, the customer's bill will be adjusted in accordance with Section 14 herein per Kentucky Public Service Commission Regulation 807 KAR 5:006, Section 10. Where a meter has ceased to register, the District will estimate the monthly bill of the customer for the month that the meter is replaced. The estimated bill will be based upon the previous six month's usage.

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17. RIGHT OF ACCESS

The customer must agree to permit the District to lay, maintain, repair, or remove its water lines that are located on the customer's property with the right of ingress-andegress over customer's property. The District's duly authorized representative and/or other duly authorized employee of the State Health Department bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of these Rules and Regulations.

18. INTERRUPTION OF SERVICE

The District will use reasonable diligence in supplying water service, but shall not be liable for loss, injury, or damage to persons or property resulting from interruptions in service excessive or inadequate water pressure. The District does hereby explicitly state that its system is one for rural domestic consumption and that its allowance of connections to its system for fire protection whether by design or implication is only for such benefit as a customer may be able to derive from such connection.

The District's system <u>is not</u> designed nor intended for us for fire protection in any manner whatsoever. Any customer using same for fire protection does so at their own full and sole responsibility.

The District shall in no event be held responsible for any claim made against it by reason of breaking of any mains or service pipes or by reason of any other interruption of the supply of water caused by the failure of machinery or stoppage for necessary repairs. No person shall be entitled to damages nor for any portion of a paymentic struck pistrict may be deemed necessary.

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The District shall make all reasonable efforts to eliminate interruption of service and when such interruption occur will endeavor to restore service with the shortest possible delay. When the service is interrupted all consumers affected by such interruption will be notified in advance whenever it is possible to do so.

19. BOILERS AND/OR PRESSURE VESSELS

Customers having boilers and/or pressure vessels receiving a supply of water from the District must have a check valve on the water supply line and a vacuum valve on the stream line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, with or without notice. It is the responsibility of the customer to make provisions for protection of his equipment in case of interrupted or intermittent service.

20. BACK FLOW PREVENTORS

Special Services and fire connections shall have back flow preventors of a type approved by the District, installed at the cost of the customer or applicant for service.

21. CROSS-CONNECTION

Kentucky Department of Health, Kentucky Public Service Commission and these Rules and Regulations do hereby explicitly state that cross-connection of the District's system with any other source is hereby prohibited.

RELOCATION OF WATER FACILITY 22.

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23. DAMAGE TO DISTRICT'S WATER SYSTEM

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 District's water works. Any person violating this provision shall be subject to immediate arrest and/or discontinuation of water service and shall pay the cost of repairing or replacing the pipe or appurtenance.

Any person, firm or organization involved in work around or near the District's distribution mains or appurtenances may request the District to indicate location of same. However, indication by the District of same does not relieve such person of complete responsibility and liability for any and all damages, liability and loss resulting from any act of such person or his assigns and/or agent.

24. ADDITIONAL LOAD

The service connection supplied by the District for each customer has a definite capacity, and no addition to the equipment or load connected thereto will be allowed except by consent of the District. Failure to give notice of additions or changes in load, and to obtain the District's consent for same, shall render the customer liable for any damage to any of the District's lines or equipment caused by the additional or changed installation.

25. NOTICE OF TROUBLE

The customer shall notify the District immediately should the service be unsatisfactory for any reason, or should there be any defects, trouble or accidents affecting the supply of water.

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26. WATER MAIN EXTENSIONS

Any person desiring an extension to the District system shall request in writing, in a form approved by the District, for such extension. Any requested extension may be provided under one of the following options:

OPTION I - District shall construct main extensions under the authority and procedure stripulated in Public Service Commission Regulation 807 KAR 5:066, Section 12; A copy is attached hereto as Appendix I any extension made under this option shall be subject to refund as outlined in said regulation.

OPTION II - Applicant may construct and donate to District, the extension, as a contribution in aid of construction, meeting all District's specifications and approval. District reserves the right to stipulate applicable engineering, legal and administrative factors. Applicant shall pay all cost of District as a contribution in aid of construction. Any extension made under this option shall not be eligible for refund.

The applicant or group of applicants shall have the right to elect the option by which said extension shall be made. In either case applicant must execute a contract and agreement for line extension for form approved by District.

Extender applicant is hereby notified that regardless of option selected all other rules, rates and schedules of fees applicable to size and type of service requested shall be paid in addition to cost of extension.

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27. COMPLAINTS

Complaints may be made to the operator of the System whose decision may be appealed to the District Commissioners. Such appeal shall be in writing within ten (10) days of date of decision by operator, stating the nature of the complaint and supporting evidence. Decisions of the District's Commissioners or operator may be brought before the Public Service Commission in accordance with 807 KAR 5:006, Section 9.

28. SALE OF WATER

Special charges may be assessed to the customer for returned checks, meter re-reads, and meter tests at the specified charges shown below:

- A. A charge of 10.00 will be made for each check returned to the District by the bank.
- B. A charge of \$10.00 will be made to re-read meter at the customer' request unless such re-read reveals that the initial reading was erroneous. No charge shall be made if the initial reading was erroneous.
- C. A charge of \$15.00 will be made for a meter test when such test is made at the customer's request unless the meter is found to faulty. No charge shall be made for a faulty meter, but appropriate adjustments shall be made in accordance with Section 10 of the Rules and Regulations.
- 29. SPECIAL USER AGREEMENTS FOR NON-STANDARD SERVICE

Each applicant for non-standard service shall execute to the District an agreement for special service SERVICE COMMISSION OF KENTUCKY

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DATE OF ISSUE Month

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Year

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PURSUANT TO 607 KAR 5:011.
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	RULES AND REGU	JLATIONS
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207		
807 KA	AR 5:066. WATER	
Section	on 12. Extension of Service.	
(1)	Normal Extension:	
	An extension of fifty (50) fee utility to its existing distri for a prospective customer who use service for one (1) year of for such service.	bution main without charge shall apply for contract to
(2)	Other Extensions:	
	with its filed tariff require footage over fifty (50) feet p with the utility by the applic	tts amounts to more than fifty tility may if not inconsistent the total cost of the excessive er customer to be deposited
	of not less than ten (10) year this rule shall be the refund	period, the utility shall refund hap paid for the excessive foot-
DATE OF IS	SIIF	TE EFFECTIVE JUL 1 5 1993
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BY: Address
PUBLIC SERVICE COMMISSION MANAGER Title Name of Officer

	FOR RR 3 Monticello, ky
	P.S.C. Ky. No
	Sheet No. 18
Bartonville Lake Acres Inc	Cancelling P.S.C. Ky. No
	Sheet No.

installed and not to extensions or laterals therefrom, but in no case shall the total amount refund exceed the amount paid the utility. After the end of the refund period, no refund will be required to be made.

- (3) An applicant desiring an extension to a proposed real estate subdivision may be required to pay the entire cost of the extension. Each year for a period of not less than ten (10) years the utility shall 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 additional customer connected during the year but in no case shall the total amount refunded exceed the amount paid to the utility. After the end of the refund period from the completion of the extension, no refund will be required to be made.
- (4) Nothing contained herein shall be construed to prohibit the utility from making extensions under different arrangements provided such arrangements have been approved by the Commission.
- (5) Nothing contained herein shall be construed as to prohibit a utility from making at its expense greater extensions than herein prescribed, should its judgment so dictate, provided like free extensions are made to other customers under similar conditions.
- (6) Upon complaint to and investigation by the commission, a utility may be required to construct extensions greater than fifty (50) feet upon a finding by the commission that such extension is reasonable.

PUBLIC SERVICE COMMISSION OF KENTUCKY EFFECTIVE

	JUL 1 5 1993
	PURSUANT TO 807 KAR 5:011.
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