

P.S.C. KY. NO. \_\_\_\_\_ 1 \_\_\_\_\_

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

CONSUMERS WATER DISTRICT

OF

301 EAST BROADWAY

P.O. BOX 331

MAYFIELD, KY, 42066

RATES & CHARGES

AND

RULES & REGULATIONS

FOR FURNISHING

WATER SERVICE

AT

**CANCELLED**  
**AUG 29 2008**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

SOUTH AND SOUTHEASTERN GRAVES COUNTY  
KENTUCKY

FILED WITH THE

PUBLIC SERVICE COMMISSION

OF

KENTUCKY

DATE OF ISSUE JANUARY 26, 2004  
Month / Date / Year

DATE EFFECTIVE \_\_\_\_\_  
Month / Date / Year

ISSUED BY *Henry Rodger*  
(Signature of Officer)

TITLE CHAIRMAN, BOARD OF DIRECTORS

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

**JUL 01 2004**

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

BY *[Signature]*  
EXECUTIVE DIRECTOR

FOR Graves County, Kentucky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 2

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

Consumers Water District  
(Name of Utility)

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Consumers Water District  
(Name of Utility)

RATES & CHARGES

A. MONTHLY RATES:

5/8" x 3/4" Meter

First 2,000 Gallons	\$8.80	Minimum Bill
Next 8,000 Gallons	2.16	Per 1,000 Gallons
Next 10,000 Gallons	2.00	Per 1,000 Gallons
Next 30,000 Gallons	1.85	Per 1,000 Gallons
Over 50,000 Gallons	1.55	per 1,000 Gallons

1" Meter

First 10,000 Gallons	\$26.16	Minimum Bill
Next 10,000 Gallons	2.00	Per 1,000 Gallons
Next 30,000 Gallons	1.85	Per 1,000 Gallons
Over 50,000 Gallons	1.55	per 1,000 Gallons

2" Meter

First 20,000 Gallons	\$46.08	Minimum Bill
Next 30,000 Gallons	1.85	Per 1,000 Gallons
Over 50,000 Gallons	1.55	per 1,000 Gallons

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Consumers Water District  
(Name of Utility)

RATES & CHARGES

B. Deposits:

Residential Deposits: \$40.00

Commercial Deposits: Deposit shall be based on the average bill of similar customers and premises in the system. Deposit shall not exceed two-twelfths (2/12) of the customer's estimated annual bill.

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Consumers Water District  
(Name of Utility)

RATES & CHARGES

C. Meter Set / Tap-On Charges:

5/8" - 3/4" \$450.00

All larger meters require approval by the utility board and, if approved, will be installed at actual cost.

Special Projects:

1. A special project is defined as an extension of service that is funded in part or in full by government loans and/or grants.
2. From the initial design and construction, but before completion of a special project, the District may offer a discounted meter set/tap-on charge.
3. All discounts will be for existing dwellings and businesses only. A foundation constructed to above grade line will be considered as existing.
4. The full amount of the meter set/tap-on charge must be paid in advance of service hook-up.



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Consumers Water District  
(Name of Utility)

RATES & CHARGES

D. Special Non-Recurring Charges:

Connection Charge:	\$25.00
Reconnection Charge:	\$25.00
Returned Check Charge:	\$25.00
Service Charge:	\$25.00
After-Hours Service Charge:	\$75.00
Late Payment Notice Charge:	\$2.00
Late Payment Penalty:	10%

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

II. General Rules and Regulations:

The following are the rules and regulations of Consumers Water District. The schedule of rates prescribed herein will be uniformly charged to all customers of the utility. 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 approval of the Public Service Commission.

- A. All taps and connections to the mains of the District shall be made by and/or under the direction and supervision of District personnel.
- B. Water service may be discontinued by the District for any violation of any rule, regulation, or condition of service and especially for any of the following reasons:
  - 1. Misrepresentation in the application or contract as to the property or fixtures to be supplied or additional use to be made of water.
  - 2. Failure to report to the District additions to the property or fixtures to be supplied or additional use to be made of water.
  - 3. Resale or giving away of water.
  - 4. Waste or misuse of water due to improper or imperfect service pipes and failure to keep in suitable state of repair.

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Consumers Water District  
(Name of Utility)

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RULES & REGULATIONS

5. Tampering with meter, meter seal, service, or valves or permitting such tampering by others.
  6. Connection, cross-connection, or permitting the same of any separate water supply to premises which receive water from the District.
  7. Non-payment of bills.
- C. Any customer desiring to discontinue the water service to his premises for any reason must give three days notice of discontinuance in writing, in person, or by telephone; otherwise a customer shall remain liable for all water used and service rendered by the District until said notice is received by the District.
- D. 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 the District shall 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 performances required in said notice.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

- E. 1. Bills for water service are due and payable at the office of Mayfield Electric & Water Systems, or to any designated agent, on the date of issue. The past due date shall be the tenth (10<sup>th</sup>) day after the date of issue. Bills will be dated and mailed on the first (1<sup>st</sup>) day of each month.
- 2. All bills not paid on or before the past due date shall be deemed delinquent. The District will serve a customer a written final notice of said delinquency. If the delinquent bill is not paid within fifteen (15) days after the date of such final notice, the water supply to the customer may be discontinued without further notice.
- 3. Meters will be read monthly between the 12<sup>th</sup> and 22<sup>nd</sup> of each month.
- F. Where the water supply to the customer has been discontinued for non-payment of delinquent bills, a charge will be made for reconnection of water service, but the reconnection will not be made until after all delinquent bills and other charges, if any, owed by the customer to the District have been paid.
- G. All meters shall be maintained at the expense of the District and the District reserves the right to determine the size of the meter used.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

- H. Where a meter has ceased to register, or meter reading could not be obtained, the quantity of water consumed will be based upon an average of the prior six (6) months consumption and the conditions of water service prevailing during the period in which the meter failed to register.
- I. The District shall make all reasonable efforts to eliminate interruption of service and when such interruptions occur will endeavor to re-establish service with the shortest possible delay. When the service is interrupted, all customers affected by such interruption will be notified in advance whenever it is possible to do so.
- J. 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 steam line to prevent collapse in case the water supply from the District is discontinued or interrupted for any reason, without notice.
- K. The premises receiving a supply of water and all service lines, meters and fixtures, including any fixtures within said premises, shall at all reasonable hours be subject to inspection by the District.
- L. Piping on the premises of a customer must be so installed that connections are conveniently located with respect to the District lines and mains. The customer shall provide a place for metering which is unobstructed and accessible at all times.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

- M. The customer's service line shall be installed and maintained by the customer at his own expense in a safe and efficient manner and in accordance with the Department of Health.
- N. No person shall break, damage, destroy, uncover, deface, tamper with, or otherwise alter any structure, appurtenance, equipment, or other property which is part of the District's water works. If a loss or damage to the property of the District or any accident or injury to persons or property is caused by or results from the negligence or wrongful action of the customer, member of his household, his agent or employee, the cost of the necessary repairs or replacements shall be paid by the customer to the District and any liability otherwise resulting shall be that of the customer.
- O. Any person, firm, or organization working around or near the District's distribution mains, appurtenances, or other property may request the District to indicate the location of same. Location by the District of same, however, does not relieve such person of complete responsibility and liability for any and all damages, liability and loss to the District's property resulting from any act of such person or his assigns and/or agent.
- P. Water furnished by the District may be used for domestic consumption by the customer, members of his household, and employees only. The customer may not sell or give away water to any other person.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

- Q. Complaints may be made to the operator of the system whose decision may be appealed to the Board of Commissioners of the District within ten (10) days; otherwise the operator's decision will be final. If a written complaint, or a complaint made in person at the utility office is not resolved, the utility shall provide written notice to the complainant of his right to file a complaint with the Kentucky Public Service Commission (PSC), and shall provide him with the address and telephone number of the PSC. If a telephonic complaint is not resolved, the utility shall provide at least oral notice to the complainant of his right to file a complaint with the PSC and the address and telephone number of the PSC.
- R. The water bills may be paid at the main office of Mayfield Electric & Water Systems, 301 East Broadway, Mayfield, KY, 42066. Bills may also be paid at the drop box at 4182 State Route 121 South, Mayfield, KY. Bills may also be mailed to P.O. Box 331, Mayfield, KY.
- S. Upon request from a customer, and reasonable proof of leak, the District shall grant one (1) leak adjustment per year. The adjustment shall be based on the customer's twelve month average usage.
- T. There must be a water meter for each residential unit.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

U. The District's system is NOT designed nor intended for use for fire protection in any manner whatsoever. Any customer using same for fire protection does so at his own full and sole responsibility and risk. The District makes no warranty as to the sufficiency of the water supply or the adequacy of the water pressure at any time. Fire hydrants installed on the distribution lines of the District are for the sole purpose of flushing the lines, or other uses by the District necessary for proper maintenance of the lines.

Any fire department unit using water from District's water system must immediately contact responsible party in the District to make them aware of approximate volume used. Any damage to the distribution lines, resulting from excessive pressure due to fire hydrant usage by fire department units in the performance of their duties will be the liability of that unit.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

III. Water Main Extensions:

All developers must submit a preliminary drawing of the water main extension development plans to the District for review. These plans must be prepared by a professional engineer. After reviewing the plan, the Board will contact the developer with changes or final approval. The District will submit the plans to the Division of Water.

After approval by the Division of Water, the District will hire a contractor to construct the project. The District will be paid for the project by the developer before any work is begun. The final cost of the project will not exceed cost estimate.

A ten (10) year refund period will begin after the project is completed and a contract is signed by both parties. The date will become the anniversary date. The developer will be reimbursed annually on this date for any water meter installed on said water extension.

To determine the refund amount, the total cost of the project will be divided by the total length of the extension. This will determine the cost per foot. At each anniversary date, the cost of 50 feet of the main extension will be paid to the developer for each water meter installed during that year. (All persons desiring water will be responsible for the meter tap-on charge.)

Refunds shall continue each year until reimbursement is paid in full (no interest) or ten years have elapsed, whichever occurs first. No refunds after ten years.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

IV. Deposits:

All customers shall pay deposits. All residential customer deposits shall be \$40.00. Commercial customer deposits shall be based on the average bill of similar customers and premises in the system. Deposit shall not exceed two-twelfths (2/12) of the customer's estimated annual bill.

Interest on deposits will be calculated according to 807 KAR 5:006 Section 7 (6). Interest accrued shall be refunded to the customer or credited to the customer's bill on an annual basis. Upon termination of service, the deposit, any principal amounts, and interest earned shall be credited to the final bill with any remainder refunded to the customer.

A deposit of \$1000.00 shall be charged on all 3" fire hydrant meters. This deposit will not be refunded if the meter is not returned in satisfactory condition. Meters will be read monthly and bill according to actual usage.

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Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

V. Bill Format:

Each bill for the District shall clearly show the present and last preceding meter readings, dates of the readings, number of gallons consumed, net amount, all taxes, and the gross amount of the bill. The date after which a penalty may apply to the gross amount shall be indicated.

The rate schedule under which the bill is computed shall be furnished upon request by the customer.

VI. Monitoring of Customer Usage:

The District shall monitor the usage of each customer monthly. The District will compare the customer's monthly usage records and if there is a deviation greater than 20%, the District shall re-read the meter, and check for leaks. The District shall then notify the customers of the investigation, its findings, and any refunds or back-billing in accordance with 807 KAR 5:006, Section 10 (4) and (5).

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CANCELLING P.S.C. KY. NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

VII. Special Non-Recurring Charges:

- A. Connection Charge: Will be assessed for service turn-ons, seasonal turn-ons, or temporary service.
- B. Reconnection Charge: Will be assessed when a utility representative makes a trip to the premises of a customer for the purpose of terminating service for non-payment or for violation of District or PSC rules and regulations, and will include the cost of the service trip for both the disconnection and the reconnection.
- C. Returned Check Charge: Will be assessed if a check accepted for payment of a utility bill is not honored by the customer's financial institution.
- D. Service Charge: Will be assessed for all trips to check meter readings as requested by the customer; except if the original reading was incorrect; and to check for leaks that the customer requests, except there will be no charge should the leak be on the District. Charge will also be assessed for return trips to read meter due to meter inaccessibility to District staff resulting from customer. Charge will also be assessed for all customer requested trips to investigate any problems with service; except there will be no charge if the problem is the responsibility of the District.

**CANCELLED**  
**AUG 29 2008**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

DATE OF ISSUE JANUARY 26, 2004  
Month / Date / Year

DATE EFFECTIVE \_\_\_\_\_  
Month / Date / Year

ISSUED BY Henry Rodger  
(Signature of Officer)

TITLE CHAIRMAN, BOARD OF DIRECTORS

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

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 01 2004

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

BY [Signature]  
EXECUTIVE DIRECTOR

FOR Graves County, Kentucky  
Community, Town or City

P.S.C. KY. NO. 1

Original SHEET NO. 18

CANCELLING P.S.C. KY. NO. \_\_\_\_\_

\_\_\_\_\_ SHEET NO. \_\_\_\_\_

Consumers Water District  
(Name of Utility)

RULES & REGULATIONS

- E. After-Hours Service Charge: Will be assessed whenever service call requests are received after regular office hours, weekends, and holidays; in the event the trouble is not the responsibility of the District. This charge shall also apply to the connection of new services or the reconnection of a discontinued service.
- F. Late Payment Notice Charge: Will be assessed whenever a late notice is mailed when a utility payment is not made by the due date.
- G. Late Payment Penalty: Pursuant to 807 KAR 5:006 Section 8 (3)(h), a penalty will be assessed when a customer fails to pay a bill for services by the due date shown on the customer's bill. The penalty will be assessed on the delinquent amount of the bill, less any taxes and any prior penalty amounts. Any penalty may be assessed only once on any bill for rendered services, and any payment received shall first be applied to the bill for service rendered. Additional penalty charges shall not be assessed on unpaid penalty charges.

**CANCELLED**  
**AUG 29 2008**  
KENTUCKY PUBLIC  
SERVICE COMMISSION

DATE OF ISSUE JANUARY 26, 2004  
Month / Date / Year

DATE EFFECTIVE \_\_\_\_\_  
Month / Date / Year

ISSUED BY Henry Hodges  
(Signature of Officer)

TITLE CHAIRMAN, BOARD OF DIRECTORS

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

PUBLIC SERVICE COMMISSION  
OF KENTUCKY  
EFFECTIVE

JUL 01 2004

PURSUANT TO 807 KAR 5:011  
SECTION 9 (1)  
BY [Signature]  
EXECUTIVE DIRECTOR

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JUN 18 2001

PUBLIC SERVICE  
COMMISSION

WATER SHORTAGE RESPONSE PLAN

Consumers 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 Consumers 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 Consumers 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 Consumers Water District
- (c) "Treated Water" shall mean water that has been introduced by the Consumers 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,

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

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 of 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):

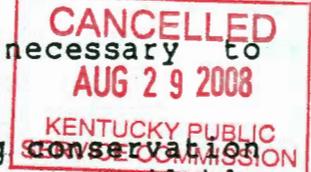
- agricultural irrigation for the production of food and fiber or the maintenance of livestock,
- watering by arboretums and public gardens of national, state, regional or community significance where necessary to preserve specimens,
- watering by commercial nurseries at a minimum level necessary to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

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- watering of woody plants where necessary to preserve them,
- minimal watering of golf course greens.

Recreational:

- operation of 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.

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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,
- 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.

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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 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.

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

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

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Section 3. Applicability. The provisions of this Plan shall apply to all retail and wholesale customers of the Consumers Water District. When implemented, this Plan becomes Consumers 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 water 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 Graves County Fiscal Court and Consumers 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 Consumers Water District.

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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 0% 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 Consumers 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) water use.

B. Alert Stage:

- (1) Criteria: A water alert shall be declared when the amount of treated water available is projected to be up to 10% 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.

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- (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 \$3.00 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 20% 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 \$7.00 per 1,000 gallons.

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D. Rationing Stage:

1. Criteria: Treated water available is greater than 40% below demand or raw water supplies are below

the level necessary to meet essential needs, and in the opinion of Consumers Water District mandatory rationing is required to insure 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 \$15.00 per 1,000 gallons.

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**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 Consumers 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, water service shall be continued until a decision is announced. Any person aggrieved by the decision may 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 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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