

RESOLUTION 79- 12

To Approve the Rules, Regulations and Standards of Service for the
Bloomington Water Utility

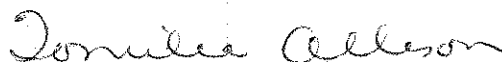
WHEREAS, IC 8-1-2-100 provides that the Utilities Service Board shall fix the policy of control of a municipal utility, including the establishment of rates and other regulations, with the approval of the Common Council; and

WHEREAS, the Bloomington Utilities Service Board adopted a new set of rules and regulations and a new schedule of charges on March 26, 1979 and has requested Common Council approval of the new rules and charges;

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

The Bloomington Common Council approves the attached Rules, Regulations and Standards of Service for the Bloomington Water Utility that were adopted by the Utilities Service Board on March 26, 1979.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this *3* day of *May*, 1979.



Tomilea Allison, President
Bloomington Common Council

SIGNED and APPROVED by me upon this *11th* day of *May*, 1979.



Francis X. McCloskey, Mayor
City of Bloomington

SYNOPSIS

Indiana law requires that rates and regulations set by a Utilities Service Board be approved by the city's municipal council, and this resolution represents the Common Council's approval of the rules adopted by the Utilities Service Board on March 26, 1979. Portions of the new rules that involve penalties and fees and which should therefore be a part of the Municipal Code are incorporated in Ordinance 79- 31.

RULES, REGULATIONS AND STANDARDS OF SERVICE
 FOR
 CITY OF BLOOMINGTON
 WATER UTILITY

City of Bloomington
 Utilities Service Board

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RULE 1. Definitions.

(A) "Associated Water Company" is a company which purchases water from the Utility for purposes of resale.

(B) "Back-flow Preventor" is a device installed in a water line which prevents the flow of water in one direction.

(C) "Board" is the "Utilities Service Board".

(D) "Commission" is the "Public Service Commission".

(E) "Corporation Stop" is a valve which is affixed to a water main which permits water to flow from the main.

(F) "Cross Connection" is a connection to a water system which may permit contaminates to enter the system.

(G) "Curb Cock" is a valve usually located near the customer's property line which controls the flow of water to the property.

(H) "Curb Box" is a container for the curb cock.

(I) "Customer" is any firm, corporation, person or persons who contract for water service from the Utility and assumes the responsibility for payment of services.

(J) "Customer Line" is that portion of the pipe which runs from the meter (when the meter is located at the property line) to the customer's premises through which water is delivered. When the meter is located inside, the "customer line" is that portion of the pipe which runs from the curb box to the customer's premises through which water is delivered.

(K) "Fire Service Connection" is any privately owned connection which is designed to provide water only in case of a fire emergency.

(L) "Leak Detector" is a device installed on a fire service line which shows any unauthorized use of a fire service connection.

(M) "Main" is a pipe through which water is distributed to the service lines and storage facilities of the Utility's water system.

(N) "Meter" is a device owned by the Utility which measures and records the volume of water delivered to a customer's premises. With changing technology, the function served by the "curb box" and "curb cock" has been incorporated into the "meter". The terms "meter", "curb box" and "curb cock" are to be used interchangeably.

(O) "Meter Vault" is the box, tile or pit in which the water meter is installed. The meter vault may also serve as a curb box.

(P) "Service Line" is that portion of the pipe from the main to the meter through which water is delivered.

(Q) "Tap" is a cutting of a main which permits a valve to be affixed to the main.

(R) "Temporary" shall mean a period of time which is less than twelve (12) months or, in some instances, the length of the construction period.

(S) "Utilities Service Board" is the policymaking body of the Utility which exercises control over the Utility through the Utility staff. "Utilities Service Board" is also referred to as the "Board".

(T) "Utility" is the City of Bloomington, Indiana, water utility department, also referred to as the "Municipal Utility".

(U) "Public Service Commission" is the utility regulatory body of the State of Indiana, also referred to as the "PSC" and "Commission".

(V) "Shut-off Valve" is a valve located directly before the meter used for turning water on and off, also referred to as an Angle Yoke.

(W) "PSC Rules" are the Rules and Regulations of Service for Utilities Rendering Water Service in Indiana promulgated in Cause No. 34805, effective November 28, 1977, or as updated.

(X) "Disconnection" shall mean the termination of discontinuance of water service.

RULE 2. Public Inspection and Information.

(A) Inspection. Copies of all rates, rules, regulations and policies under which utility service will be supplied by the Municipal Utility are filed and posted in the Commercial Office of the Municipal Utility of the City of Bloomington, Indiana, and with the Public Service Commission of the State of Indiana. Said rates, rules, regulations and policies shall be open for examination by the public during the regular business hours of the Commercial Office.

(B) Information to Applicants and Customers. The Utility shall print and distribute, without request, to all applicants for service and to all current customers (1) a comprehensive description of all customer's rights and responsibilities under these Rules and (2) a general description of available service and equipment.

(C) Rate Schedules. The Utility shall supply to new applicants or existing customers free of charge a copy of the rate schedules applicable to the types of service available, upon request by the applicant or customer.

(D) Rate Changes. The Utility, whenever it petitions the Commission for any change in its residential rate schedules must furnish to each residential utility customer within forty-five (45) days of such request and prior to the date of the public hearing, a notice which fairly summarizes the nature and extent of the proposed changes. This notice may be made through newspaper articles, ads, and local radio.

RULE 3. Hold Harmless. As a condition precedent to the use of water by any customer and to the permission to tap any main or the connection of service pipes with any branch main, any person, firm or corporation shall hold the Municipal Utility and the City of Bloomington, Indiana harmless for any damages related to any interruption of the supply of water, for any damages caused by accident to any part of the water works or for repairs of machinery, fire hydrants or mains, or for damages caused by defective piping and appliances on the customer's premises. The Municipal Utility reserves the right to restrict the use of water for any and all purposes, except domestic household use and fire purpose, in the event of conflagration, flood or other emergencies.

RULE 4. Requests for Water Service.

(A) Extension not required. Persons desiring water service which does not require extension to the distribution system of the Municipal Utility shall make application for such service on forms prescribed by the Board available in the Commercial Office. Deposits as hereinafter provided may accompany such application. See Rule 10.

(B) Extension required. Persons desiring water service which requires an extension to the distribution system of the Municipal Utility shall petition the Board for such service by filing said application in the Commercial Office. The Board shall take action on such application in accordance with the rules as hereinafter provided and notify the petitioner of the action taken.

RULE 5. Meters and Meter Testing.

(A) Meter dials. All meters used to measure the volume of water shall register in either U.S. gallons, cubic feet, or metric units and the meter register face shall clearly indicate which unit of measure is being used. Straight and circular reading registers shall have printed on the dial face the required numerals so that the meter can be correctly read to the nearest 100 cubic feet, 1,000 U.S. gallons, or the metric equivalent thereof.

(B) Meter accuracy. All meters and appurtenances used for measuring quantity of water delivered to a customer shall be in good mechanical condition and shall be adequate in size and design for the type of service which they measure and shall be accurate to within generally accepted standards.

For determination of minimum test flow and normal test flow limits, the following specifications will be used for test flows or displacement type cold water meters:

Nominal Meter Size	Minimum Test Flow Gallons per Minute	Normal Test Flow Limit Gallons per Minute
5/8"	1/4	1- 20
3/4"	1/2	2- 30
1"	3/4	3- 50
1 1/2"	1 1/2	5- 100
2"	2	8- 160
3"	4	16- 300
4"	7	28- 500
6"	12	48- 1000

(C) Determination of Accuracy. Displacement meters shall be tested at three or more test flows: One at the minimum test flow, one at not more than 10% of the maximum normal test flow limit, and one not less than 35% of the maximum normal test flow limit. A meter shall not be placed in service if it registers less than 95% of the water passed through it at the minimum test flow or over or under registers more than 1 1/2% in the normal test flow limits, with the exception that a repaired meter shall register not less than the following appropriate percentage of the water passed through it as the minimum test flow, and shall not over or under register more than 2% in the normal test flow limits.

If manufactured on or after January 1, 1955 --- 90%
 If manufactured prior to January 1, 1955 --- 85%

(D) Periodic Tests. Each customer's installed water meter shall be periodically inspected and tested in accordance with the following schedule, or more often if the results may warrant, to insure that the meter accuracy is maintained within the limits set out in (C) above.

5/8 inch meters	-10 years, or for each 100,000 cubic feet or equivalent units registered
3/4 inch meters	-8 years, or for each 150,000 cubic feet or equivalent units registered.
1 inch meters	-6 years, or for each 300,000 cubic feet or equivalent units registered.
1 inch and over	-4 years.

This schedule of periodic testing may be extended by the use of the following Statistical Quality Control program:

- (1) The Statistical Quality Control Program shall be based on Military Standard No. 105-D, Sampling Procedures and Tables for Inspection by Attributes. Sample size code letters shall be taken from Table I, General Inspection Level II. Sample size and acceptance-rejection numbers shall then be determined from Table II A, single sampling plan for normal inspection, using Acceptance Quality Level (AQL) 10.
- (2) The meters for quality control sampling shall be separated into homogeneous groups by manufacture, model, design, or other distinguishing characteristics by year set. The sample for each group shall, as far as possible, be taken from routing meter exchanges, removals, and field tests for each year, except that those meters removed or exchanged because of known or suspected defects or for special tests may be excluded from the quality control sample.
- (3) If an inadequate sample of meters is routinely exchanged or removed, the balance of meters required for sampling will be obtained from meters in service by removal on a randomly selected basis.
- (4) Beginning in the year prior to the last year indicated in the schedule of periodic testing set forth in Rule 5 (D), and continuing through subsequent service years, meter groups shall be sample tested annually, being allowed to continue in service until an annual sample reaches its rejection number of deviant meters. The service life of meter groups may be extended by this quality control program as long as 90% of the meters in a sample group do not exceed an accuracy figure of 102.0% when tested at not less than 35% of its rated capacity.

(E) Testing equipment and facilities. The Utility shall provide and maintain suitable equipment and facilities for testing and adjusting its meters satisfactory to the Commission. Meter testing equipment shall at all reasonable hours be accessible for inspection and use by authorized representatives of the Engineering Department of the Commission. Where portable test meters are used to determine the accuracy of meters in service, they shall be recalibrated by suitable testing apparatus at sufficiently frequent intervals to insure correct registration at the specified rates x flow.

(F) Meter tests upon written request by customer. The Utility shall make a free test of the accuracy of registration of a meter upon written request by a customer. A second free test of the customer's meter may be requested twelve (12) months subsequent to the first test. Subsequent to the above-described free tests, the customer may be required to bear the full cost of any subsequent test of the customer's meter if requested within thirty-six (36) months after the preceding test, if error of the meter is found to be in compliance with the test flow limits set forth in Rule 5 (C), Determination of Accuracy. A written report giving the results of such tests shall be made to the customer within ten (10) days after the test is complete and a complete record of the same shall be kept on file in the Office of the Utility. Any appeal, in regard to the results of the customer's meter test, shall be filed with the Commission under Rule 5 (G) within five (5) days of the date of the report.

(G) Meter tests upon application to the Commission. A test will be made of a customer's meter by the Utility under the supervision of an employee of the Commission upon application to the Commission by the customer and formal notice to the Utility by the Commission. The application for such a test shall be accompanied by a state fee as set out in PSC Rule 12. The state fee paid by the customer shall be retained by the Commission, however, if the tests show the meter to be more than two percent (2%) fast, the Utility shall reimburse the customer the amount of such fee. The amount of fee as prescribed in PSC Rule 12 to be paid for a meter test made on application to the Commission appears as an addendum to these Rules.

Subject to the provisions for free tests in Rule 5 (F), where the meter is found not to be at fault, a charge for the meter test shall be made in accordance with the Rate Schedule, attached hereto and made a part hereof.

(H) Record of meters and meter tests.

- (1) Meter test record. Whenever any meter in service is tested, a record shall be preserved containing the information necessary for identifying the meter, the reason for making the test, the reading of the meter before the test and the result of the test, together with all data taken at the time of the test in sufficiently complete form to permit the convenient checking of the methods employed.
- (2) Meter record. Permanent records shall also be kept, systematically arranged, giving for each meter owned or used by the Utility, the year of purchase, its identification and the record of the last test to

which it has been subjected, with dates and general results of the test. These requirements apply to all meters purchased after November 18, 1977 and to all other meters insofar as the information is available.

RULE 6. Maintenance of Service.

(A) Meter location. The meter shall be located in an outdoor pit, except where physical conditions prohibit it. Those existing meters which are located inside the building or premises of the customer may remain so located.

When the meter is installed outside, the pit shall be located in a convenient and readily accessible location as close to the customer's property line as possible. Within these guidelines the pit will be located at the point requested by the customer before installation is made, if said requested location is feasible under proper utility standards. The pit must be constructed to protect the meter from freezing and damage by vehicular traffic. The pit location and design should prevent, as far as possible, the inflow of surface water.

When conditions require the meter to be installed indoors, it shall be located, as near as practical, to where the service line enters the building, in a clean, dry, safe place, protected from freezing and hot water, not subject to wide temperature variations, and so placed as to be at all times accessible for reading, inspection and removal for testing.

(B) Service line location. The Utility shall locate the service line and run it to the customer's property line in the most convenient, safest and satisfactory location for the meter. Upon request by the customer before the installation is made, the service line location may be changed, if feasible under the proper utility standards.

See PSC Rule 5.

(C) Construction of water facilities. All persons are forbidden to cover or in any way to interfere with any meter, curb box, curb cock, valve or hydrant, and those persons who do so shall be held responsible for any and all damage.

(D) "Turn On" and "Turn Off". All persons are forbidden to turn the water on or off at the curb cock, or to operate any valves in the water distribution system. The Utility shall furnish turn on, turn off and valve-related service to all customers as it may be requested at a fee as shown in the Rate Schedule, attached hereto and made a part hereof. The customer shall supply a turn-on and turn-off valve for all meters located inside.

(E) Back pressure. In all cases where water pipes are connected to boilers or other hot water fixtures which are likely to cause a back pressure, a check valve must be placed in the line. The customer shall be liable for all damage caused to meters, service lines, mains, or any other portion of the water distribution system by back pressure.

(F) Fire lines and hydrants. All pipes or water lines placed in or about a building or structure for fire protection shall be used exclusively for fire protection. Temporary connections to fire hydrants for industrial or any other use or purpose shall not be permitted, except within the discretion of the Utility.

(G) Access to property. A Utility representative shall have free access to all parts of the premises to which water is delivered, for the purpose of inspection and examination of all pipes and fixtures. Said inspection and examination shall occur at reasonable hours and if the customer has not requested the inspection, written notice shall be given 24 hours in advance. Advance written notice is not required in emergency situations.

(H) Other water supply systems. When the Utility water distribution system is connected to any auxiliary water supply, water tank, fire protection sprinkler system, cross-connections, cisterns or any other pipes or tanks not under the supervision of the Utility, such connection shall be made in accordance with all Indiana State Board of Health regulations governing such water supply systems. The Board shall have authority to enforce said health regulations in the appropriate manner, including the discontinuation of utility service to non-complying customers.

RULE 7. Use of Public Water Outlets.

(A) Public water, private use. No person, except those authorized by the Utility, shall take water from any public or private hydrant, street washer or faucet or in any way use or take water for private use which is supplied by the Utility, without paying for the same and receiving a receipt therefor.

(B) Contractor use. Water shall be supplied by the Utility to contractors for building purposes upon (1) application by the contractor, (2) the installation, where possible, of a meter to determine the amount of water used, and (3) upon written approval of the Utility

(C) Temporary meter service. The Utility shall assess a fee for installation of a temporary meter, as shown in the Rate Schedule, attached hereto and made a part hereof.

RULE 8. Billing and Payment Standards.

(A) Billing frequency. The Utility shall, after the initial bill for new service is rendered, render a bill once during each billing

month to every customer to be paid at the Commercial Office of the Utility during business hours, or at such other place or places as may be determined by the Board.

(B) Payment of bill. The Utility shall allow each customer at least twenty-five (25) days from the mailing of each bill, for payment in full, without penalty.

(C) Computation of payment period. The date of receipt of a bill shall be presumed to be three (3) days after the date of mailing, however the presumption may be rebutted by contrary evidence. If the last calendar day for remittance falls upon a day when the Utility's Commercial Office is closed to the general public, the final payment date shall be extended through the next business day.

(D) Billing information. Each bill for service rendered by the Utility shall be in writing and shall show at least the following information:

- (1) The dates and meter readings at the beginning and end of the period for which the bill is rendered;
- (2) The billing date;
- (3) The number and kind of units of service supplied;
- (4) The billing rate code, if any;
- (5) The previous balance, if any;
- (6) The amount of the bill;
- (7) The sum of the amount of the bill and the late payment charge, if any;
- (8) The date on which the bill becomes delinquent and on which a late payment charge will be added to the bill;
- (9) If an estimated bill, a clear and conspicuous coding or other indication identifying the bill as an estimated
- (10) Printed statements and/or actual figures on either side of the bill informing the customer of the twenty-five (25) day non-penalty period;
- (11) An explanation, which can be readily understood, of all codes and/or symbols.

(E) Delinquencies. Each bill shall be rendered as a net bill. If the net bill is not paid within twenty-five (25) days after the bill is mailed, it shall become a delinquent bill. A late charge may be added to each residential customer's bill in the amount of (3%). A late charge may be added to each business and/or commercial customer's delinquent bill in the amount of (3%), together with two percent (2%) of the total delinquency for each month the bill remains delinquent.

(F) Estimated billing. The Utility may estimate the amount to be billed any customer pursuant to a billing procedure which has been approved by the Commission, or for other good cause. "Good cause" shall include, but not be limited to, the request of the customer; inclement weather; labor or union disputes; inaccessibility of a customer's meter, provided the Utility has made a reasonable attempt to read it; and other circumstances beyond the control of the Utility, its agents and its employees. The Utility may read meters on a bi-monthly basis.

RULE 9. Adjustment of Bills.

(A) Meter error. If any meter shall be found to have a percentage of error greater than that allowed in Rule 5, the bill shall be adjusted as follows:

- (1) Meter error (customer overcharged). A meter shall be presumed to be fast when it is found to have a positive average error in excess of two percent (2%). The amount of the refund or credit to the customer's account shall be the amount in excess of the average charge for one-half of the time elapsed since the previous test, or one (1) year, whichever period is shorter.
- (2) Stopped or slow meters (customer undercharged). A meter shall be presumed to be slow when it is found to have a negative average error in excess of two percent (2%). When the meter is stopped or slowed, the amount of the charge of the customer shall be an amount estimated to be an average charge for one-half of the time elapsed since the previous test or one (1) year, whichever period is shorter. The average charge shall be calculated on the basis of units registered on the meter over corresponding periods either prior to or subsequent to the

period for which the meter is determined to be slow or stopped. Such action may be taken only in cases where the Utility is not at fault for allowing the stopped or slow meter to remain in service.

(B) Adjustment for interruption of service. In the event the customer's service is interrupted for a reason other than the act of the customer or the condition of the customer's control equipment, and the service remains interrupted for more than two (2) days after being reported or found to be out of order, appropriate adjustments or refund shall be made in accordance with the Rate Schedule, attached hereto and made a part hereof.

(C) Other billing adjustments. All other billing errors may be adjusted to the known date of error or for a period of one (1) year, whichever period is shorter.

(D) Charge and billing for turn on/turn off.

- (1) At the option of the customer, the Utility shall prorate the charges for turn off/turn on of service in two equal portions over two (2) monthly billing periods, with an equal portion of such charge appearing on each monthly bill. At any time turn off/turn on service is requested the Utility shall make known to the customer the right to have the charges for such services prorated. A nominal service charge may be made for such proration.
- (2) No customer shall be required to pay any part of such charge prior to the time that the customer receives the first monthly bill for services after such charge is incurred.
- (3) No customer shall be required to pay a turn off/turn on fee or other charge for restoration of service if service was discontinued by the Utility in error or in violation of any provision of these Rules.
- (4) If service to any customer is discontinued, either at customer's request or pursuant to these Rules, prior to payment in full of any lawful charges prorated pursuant to this Rule, the entire amount of such charges shall thereupon be due and payable in full.

(E) Charge and billing for installation and tap-on. Any person firm or corporation applying to the Utility for service which shall require a tap or connection to the distribution mains, shall be charged the sum applicable as shown in the Rate Schedule, attached hereto and made a part thereof. Such installation and tap-on charge must be paid before water service will be furnished by the Utility. The charge is based on the Utility tapping the main and installing only the tubing, meter and meter housing. The customer's contractor is responsible for performing all trenching, cutting and replacing pavement and the back-filling of the trench.

(F) Illegal connections. Services will be immediately disconnected and a charge to recover losses by the Utility will be made.

RULE 10. Security Deposits and Guarantees.

(A) General requirements for residential users only. The Utility shall determine the creditworthiness of an applicant or customer pursuant to Rule 10 (B) in an equitable and non-discriminatory method without regard to the economic character of the part of the City of Bloomington wherein the applicant or customer resides and shall determine the creditworthiness solely upon the credit risk of the individual without regard to the collective credit reputation of the area in which the customer or applicant lives.

(B) New applicants.

(1) Creditworthiness. Each new applicant for residential water service shall make a cash deposit as a condition of receiving service if the applicant satisfies the following applicable criteria:

(a) Previous utility customer. If the applicant has been a customer of any utility within the last two (2) years, and (i) owes no outstanding bills for service rendered by any such utility, (ii) did not have during the last twelve (12) consecutive months that service was provided more than two (2) bills which were delinquent to any utility or, if service has been rendered for a period of less than twelve (12) months, has not had more than one (1) delinquent bill in such a period, and (iii) within the last two (2) years did not have a service disconnected by a utility for non-payment of a bill for services rendered by that utility, the applicant shall be deemed creditworthy.

(b) Not a previous utility customer. If the applicant has not been a customer of a utility during the previous two (2) years, the applicant shall be deemed creditworthy if any two (2) of the following three (3) criteria are met:

i. Employment. Either the applicant (a) has been employed by his present employer for one (1) year, or (b) has been employed by his present employer for less than one (1) year but the applicant has been employed by only one other employer during the past one (1) year, or (c) has been employed by the present employer for less than one (1) year and has no previous employment due to having recently attended a school, university, vocational program, or has recently been discharged from military service.

ii. Homeowner/long-term leasee. Applicant either (a) owns or is buying a home, or (b) is renting a home or an apartment and has occupied the premises for more than two (2) years.

iii. Credit records. Applicant has credit cards, charge accounts, or has been extended credit by a bank or commercial concern, unless a credit check shows that the applicant has been in default on any such account more than twice within the last twelve (12) months.

iv. Guarantor. If the applicant is unable to comply with the above stated criteria determining creditworthiness, the applicant shall not be required to make a cash deposit as a condition of receiving service if the applicant can obtain the signature of a guarantor who guarantees payment of the service. For purposes of this provision, the guarantor must satisfy the provisions of this Rule regarding creditworthiness in (B) (1).

(2) Deposit required. If the applicant fails to establish that he is creditworthy pursuant to the above criteria, the applicant may be required to make a reasonable cash deposit. Such deposit shall not exceed 1/6 of the estimated annual cost of service to be rendered to the average applicant. At the option of the customer, the Utility shall prorate the deposit in two (2) equal portions over the first two (2) monthly billing periods.

(3) Notice to applicant. If the Utility denies service or requires a cash deposit as a condition of providing service, then it must immediately notify the applicant in writing stating the precise facts upon which the Utility based its decision and provide the applicant with an opportunity to rebut such facts and show other facts demonstrating the applicant's creditworthiness as provided under Rule 10 (B) (1).

(C) Present Customer.

- (1) Deposit required. The Utility may require a present customer to make a reasonable cash deposit when the customer has been mailed disconnect notices for two (2) consecutive months or any three (3) months within the preceding twelve (12) month period, or when the service has been disconnected pursuant to the rules for non-payment.
- (2) Amount. The amount of such deposit may not exceed an amount equal to 1/6 of the expected annual billings for the customer at the address at which the service is rendered.
- (3) Notice to customer. In the event the required deposit is in excess of \$70, the Utility shall advise the customer that he may pay such deposit in equal installment payments over a period of up to eight (8) weeks, except where such deposit is required as a result of a disconnection for non-payment, in which case full payment of the deposit may be required prior to reconnection.

(D) Interest upon deposits.

- (1) Deposits held more than nine (9) months shall earn interest from the date of deposit at a rate of six percent (6%) per annum or at such other rate of interest as the Board or Commission may prescribe.
- (2) The deposit shall not earn interest after the date it is mailed or personally delivered to the customer, or otherwise lawfully disposed of as provided for in Rule 10 (E) (5).

(E) Refunds.

- (1) Any deposit and accrued interest shall be refunded promptly along with a statement accounting for each transaction involving the deposit and interest, without request by the customer for a period of nine (9) months; provided that the customer did not make late payments for any two (2) consecutive months, or upon the customer demonstrating his credit-worthiness as provided by Rule 10 (B) (1).

- (2) Following customer-requested termination of service. The Utility shall apply the deposit plus accrued interest to the final bill, or upon specific request from the customer, the Utility shall refund the deposit plus accrued interest within fifteen (15) days after payment of the final bill.
- (3) The Utility shall maintain a record of each applicant or customer making a deposit which shows:
 - (a) The name of the customer;
 - (b) The current address of the customer so long as he maintains an active account with the Utility in his name;
 - (c) The amount of the deposit;
 - (d) The date the deposit was made; and
 - (e) A record of each transaction affecting such deposit.
- (4) Each customer shall be provided a written receipt from the Utility at the time his deposit is paid in full or when he makes a partial cash payment. The Utility shall provide a reasonable method by which a customer who is unable to locate his receipt may establish that he is entitled to a refund of the deposit and payment of interest thereon.
- (5) Any deposit made by the applicant, customer, or any other person to the Utility (less any lawful deductions), or any sum which the Utility is ordered to refund for utility service, which has remained unclaimed for seven (7) years after the Utility has made diligent efforts to locate the person who made such deposit or the heirs of such persons, shall be presumed abandoned and treated in accordance with the laws of the State of Indiana which currently are IC 1971, 32-9-1-6, Ind. Ann. Stat. Section 51-706, Uniform Disposition of Unclaimed Property Act (Acts 1967, Ch. 293, Section 1, p. 659).
- (6) A deposit may be used by the Utility to cover any unpaid balance following disconnection of service pursuant to Rule 11; provided, however that any surplus be returned promptly to the customer as provided above.

(F) Business and commercial applicants. The Utility shall determine creditworthiness of an applicant or customer pursuant to good business procedures, including but not limited to whether the applicant or

customer owns the realty upon which the business is located. If the applicant or customer fails to establish that it is creditworthy, the applicant or customer may be required to make a cash deposit in the aggregate amount of 1/6 of the estimated annual cost of service. The deposit may be returned within nine (9) months, in the Utility's discretion.

RULE 11. Discontinuance of Service.

(A) Customer's request. The customer shall notify the Utility at least three (3) days in advance of the day discontinuance is desired. The customer shall remain responsible for all service used and the billings therefore until service is disconnected pursuant to such notice. Following the customer's request, the Utility shall disconnect the service within three (3) working days of the requested disconnection date. The customer shall not be liable for any service rendered to such address or location after the expiration of these three (3) days.

(B) Involuntary disconnection. Subject to the requirements of these Rules, the Utility may disconnect service to a customer for any one or more of the following reasons:

- (1) Existence of a condition dangerous or hazardous to life, physical safety or property; or
- (2) In accordance with an order by any court, the Commission or other duly authorized public authority; or
- (3) Detection of a fraudulent or unauthorized use of water for which the Utility has reasonable grounds to believe the affected customer is responsible; or
- (4) Tampering with the Utility's regulating or measuring equipment, for which the Utility has reasonable grounds to believe the affected customer is responsible; or
- (5) Where the affected customer's lines do not comply with Indiana or local plumbing codes.

In all instances the Utility, upon providing the customer with the proper notice herein described, may disconnect service subject to the other provisions of these Rules.

(C) Prohibited disconnections.

- (1) Except as otherwise provided above, the Utility shall postpone the disconnection of service for ten (10) days if, prior to the disconnection date specified in the disconnection notice, the customer provides the Utility with a written medical statement from a licensed physician or public health official which states that disconnection

would be a serious and immediate threat to the health or safety of a designated person in the customer's household. The postponement of disconnection shall be continued for one additional ten (10) day period upon the provision of an additional medical statement in writing. If the customer fails to contact the Utility after the initial notice of medical emergency, the Utility shall make every good faith effort to contact the customer before discontinuing service.

(2) The Utility may not disconnect service to the customer:

- (a) Upon his failure to pay for merchandise or appliance purchased from the Utility furnishing service;
- (b) Upon his failure to pay for the service rendered at a different metering point, residence or location if such bill has remained unpaid for less than twenty-five (25) days;
- (c) Upon his failure to pay for services to a previous occupant of the premises to be served, unless the Utility has good reason to believe the customer is attempting to defraud the Utility by using another name;
- (d) Upon his failure to pay for a different form or class of utility service; or
- (e) If the customer shows cause for his inability to pay the full amount due (financial hardship shall constitute cause), and said customer:
 - i. Pays a reasonable portion (not to exceed \$10 or one tenth (1/10) of the bill, whichever is less, unless the customer agrees to a greater portion) of the bill; and
 - ii. Agrees to pay the remainder of the outstanding bill within three (3) months; and
 - iii. Agrees to pay all undisputed future bills for service as they become due; and
 - iv. Has not breached any similar agreement with the Utility made pursuant to this Rule within the past twelve (12) months.

Provided, However, that the Utility may add to the outstanding bill a late payment charge not to exceed the amount set pursuant to Rule 3 (E). Provided further, that the above terms of the agreement shall be put in writing by the Utility and signed by the customer and by a representative of the Utility. Only one late payment charge may be made to the residential customer under this section.

- (f) If a customer is unable to pay a bill, which is unusually large due to prior incorrect reading of the meter, incorrect application of the Rate Schedule, incorrect connection or functioning of the meter, prior estimates where no actual reading was taken for over two (2) months, stopped or slow meter, or any human or mechanical error of the Utility, and the customer:
- i. Pays a reasonable portion of the bill, not to exceed an amount equal to the customer's average bill for the twelve (12) bills immediately preceding the bill in question; and
 - ii. Agrees to pay the remainder at a reasonable rate; and
 - iii. Agrees to pay all undisputed future bills for service as they become due;

Provided, however, that the Utility may not add to the outstanding bill any late fee. Provided, further, that the above terms of agreement shall be put in writing by the Utility and signed by the customer and a representative of the Utility.

(D) Time.

- (1) The Utility may not disconnect service unless it is done between the hours of 8:00 A.M. and 3:00 P.M., Bloomington time. Disconnections pursuant to Rules 11 (A), Customer's Request, and 11 (B), Involuntary Disconnection, are not subject to this limitation.
- (2) The Utility may not disconnect service for non-payment on any day on which the Commercial Office is closed to the public, or after twelve noon (12:00 noon) of the day immediately preceding any day on which the Commercial Office is closed to the public.

(E) Notice required prior to involuntary disconnection.

- (1) Except as otherwise provided herein, service to any residential customer shall not be disconnected for a violation of any rule or regulation of the Utility or for the non-payment of a bill, except after ten (10) days from the mailing of written notice to such customer by either:
 - (a) Mailing the notice to such residential customer at the address shown on the records of the Utility; or
 - (b) Personal delivery of the notice to the residential customer or a responsible member of his household at the address shown on the records of the Utility.
 - (c) No disconnect notice for non-payment may be rendered prior to the date on which the account becomes delinquent.
 - (d) A notice of discontinuance of service shall not be issued if a customer has pending with the Utility a complaint concerning the bill upon which the notice is based.
- (2) The notice must be in language which is clear, concise, and easily understandable to a layman and shall state in separately numbered large typed or printed paragraphs:
 - (a) The date of the proposed disconnection;
 - (b) The specific actual basis and reason for the proposed disconnection;
 - (c) The telephone number of the Commercial Office at which the customer may call during regular business hours in order to question the proposed disconnection or seek information concerning his rights;
 - (d) A reference to the pamphlet or the copy of the Rules furnished to the customer pursuant to Rule 2 for information as to the customer's rights;
 - (e) Alternative methods in which one can pay the bill without loss of service;
 - (f) Detailed information concerning the customer's right to appeal.

(F) Procedure for involuntary disconnection.

- (1) Immediately preceding the actual disconnection of service, the employee of the Utility designated to perform such function shall make a reasonable attempt to identify himself to the customer or any other responsible person then upon the premises and shall announce the purpose of his presence and shall make a record thereof to be maintained for at least thirty (30) days.
- (2) The employee shall have in his possession information sufficient to enable him to inform the customer or other responsible person of the reason for disconnection, including the amount of any delinquent bill of the customer, and shall request from the customer any available verification that the outstanding bill has been satisfied or is currently in dispute pursuant to review under Rule 13. Upon the presentation of such credible evidence, service shall not be disconnected.
- (3) The employee shall not be required to accept payment from the customer or other responsible person in order to prevent the service from being disconnected.
- (4) When the employee has disconnected the service, he shall give to a responsible person at the customer's premises, or if no one is at home, shall leave at a conspicuous place on the premises, a notice stating that service has been disconnected and stating the address and telephone number of the Utility where the customer may arrange to have service reconnected.

(G) Reconnection.

- (1) The Utility will charge a reasonable reconnection charge, as shown in the Rate Schedule, attached hereto and made a part hereof.
- (2) If the Utility disconnects service in violation of these Rules, the service shall immediately be restored at no charge to the customer.
- (3) The Utility must reconnect the service to the customer as soon as reasonably possible but at least within one (1) working day after it is requested to do so; provided, however, that the Utility shall not be required to reconnect the service until:

- (a) The conditions, circumstances or practices which caused the disconnection have been corrected;
- (b) Payment of all delinquent charges owed the Utility by the customer and any deposit authorized by these Rules has been made; and
- (c) A responsible person is present in the premises to see that all water outlets are closed to prevent damage from escaping water.

RULE 12. Extension of Water Mains. The extension of water mains and related facilities will be accomplished under either Rule 12 (A) or 12 (B) as directed by the Board. These Rules are intended to apply to extensions that serve predominantly residential additions other than apartment developments. The Board will determine individual plans for financing the extensions necessary to serve apartment complexes, mobile home parks and commercial and industrial additions.

(A) Extensions constructed by Utility.

- (1) Free extensions. The Utility, upon written request for service by a prospective customer, or a group of prospective customers located in the same neighborhood, shall extend a main and connect the customer, or customers, thereto free of charge as necessary to provide the service requested if the cost of such installation does not exceed three (3) times the estimated annual revenue from the original customer, or customers, which investment by the Utility shall be first applied to the cost of connecting the customer, or customers, to the main; subject, however, to the condition that such customer, or customers, agree to take service within nine (9) months following the date on which such extension is placed in service.
- (2) Extensions above free limit. If the cost of the extension required in order to furnish service by the Utility is greater than the free extension specified in paragraph (1) above, such an extension shall be made, upon receipt by the Utility of a cash deposit as provided in subparagraph (2) (a) below, and under the following conditions:
 - (a) Determination of cost of extension.
 - i. The Utility shall prepare an estimate of the total cost of the extension from its existing main or mains which is to serve the extension to the end of the lot or frontage of the most remote original applicant to be served.

If this lot or frontage is a corner lot abutting an intersecting street in which an existing main is located, then the terminal point of the extension shall be located so that the main constructed ties in with the existing main located in such intersecting street.

If the existing main which is to serve the extension terminates within the limits of a lot having available water service, and if the extension is to serve only the lot immediately adjacent thereto, then the Utility shall be responsible for bearing the cost of extending the main to the far end of the lot where water service is available and this terminal point shall be considered the beginning point of the requested main extension.

If the street in which the main is to be laid dead ends in a cul-de-sac or appears to be permanently dead ended against a railroad, creek, river, or other physical or natural barrier, then the estimated cost of the main extension, if serving the most remote lot or frontage, shall be based on a termination point at the most remote service line connection. Such estimated cost of the main extension shall be computed in accordance with the provisions of paragraph (3) below and the amount so determined shall constitute and be referred to herein as the cost of the main extension.

- ii. The cost so estimated in subparagraph (2) (a) (i) above may be adjusted to the actual cost by the Utility, in which event the actual cost as finally determined shall constitute the cost of the main extension as referred to herein.

If the main extension agreement provides for the adjustment of the estimated cost of the main extension to the actual cost, the adjustment shall be made upon completion of the main extension, as follows: should the actual cost of the extension be less than the estimated cost, the Utility shall refund the difference to the original depositor as soon as the actual cost of the extension has been determined; should the actual cost of the extension exceed the estimated cost, then the Utility shall bill the original depositor for, and such depositor shall pay, the difference between the estimated cost and the actual cost.

(b) Determination of number of lots to be served by the extension. A determination shall be made of the number of lots to be served by the main extension. Only lots which directly abut the main extension between its original beginning and its original terminus shall be included in such determination. If all or any part of such main extension is located within an area platted or to be platted, the number of such lots as shown within such plat to be served shall be included. If all or any part of such main extension is located in an unplatted area, the number of lots to be included shall be determined by dividing the total front footage of the main extension within such unplatted area on either or both sides of the street, alley or right-of-way in which the main is located by 100 feet and rounded to the nearest whole number of lots, provided either or both sides respectively, are available for future development and not restricted against usage because of limited access or for other reasons. The determination of the number of lots for a particular extension may include a combination of platted and unplatted lots as defined above. Any further main extension subsequently connected to the original main extension shall, for all purposes under this Rule, constitute a separate main extension.

(c) Determination of cost per lot. The total number of lots to be served by the main extension shall be divided into the cost of such main extension, as determined above, in order to calculate the cost per lot of the main extension, except as provided in paragraph (c) (iii) below.

(d) Basis and allocation of initial deposit. The basis for the initial deposit for the main extension shall be the cost of installation of the water main, less the amount by which three (3) times the estimated annual revenue for service to each original applicant or applicants, who agree to take service from the proposed main extension within nine (9) months after main is placed into service, exceeds the Utility's estimated investment in connecting the applicant applicants to the main.

The total initial deposit may either be made in a payment or it may be secured by an irrevocable letter of credit acceptable to the Utility and issued by a national banking association or a bank chartered under the laws of the State of Indiana or secured by

other manner which is mutually acceptable to the parties and which guarantees payment of the deposit immediately upon completion of the construction of the extension.

In the case of a residential real estate development, no immediate revenue allowance shall be deducted from the cost of such extension in determining the amount of the total initial deposit, except for those residential dwelling units, if any, where construction has commenced above the first floor level. In the case of a commercial or industrial real estate development, no immediate revenue allowance shall be deducted from the cost of such extension in determining the amount of the total initial deposit, except where the construction has commenced and pertinent data, such as service pipe(s), metering arrangements, and water demands, have been furnished to the Utility, so as to allow the Utility to estimate the annual revenue from that development. Unless otherwise arranged among the original applicants, each original depositor shall pay to the Utility his proportionate share of the total initial deposit, determined as above provided, on the basis which the number of lots for which service is requested by such depositor bears to the total number of lots for which service is requested by all such original depositors.

(e) Deposits required by subsequent connectors.

i. If and when at any time within five (5) years after the main extension is placed in service, the owner or occupant of any unconnected lot included in the main extension, but not included in the original application, requests water service, the Utility, as agent for the purpose of refunding as provided in subparagraph (2) (f) below, shall, subject to the limitations and exceptions hereinafter provided, collect in advance from each such new applicant (sometimes hereafter referred to as "subsequent connector") a cash deposit equal to the cost per lot, as calculated in accordance with subparagraph (2) (c) above, of the main extension, multiplied by the number of lots for which service is so requested.

ii. Applicants for service connections for lots within subdivision developments, which lots are included in a main extension agreement, shall not be required

to make such deposit, unless otherwise specifically provided for in the main extension agreement.

iii. If the owner of frontage land that was unplatted on one or both sides of the street at the time the main extension was installed was not an original depositor and such owner later subdivides his frontage prior to the expiration of five (5) years after the main extension was placed in service and in such a manner that some or all lots will not require service directly from said main extension, and the owner thereof requests a lateral main extension from said main extension to serve his land, the Utility shall collect, in advance from the owner of such frontage land, a fee equal to the number of equivalent lots of that frontage land, as determined under subparagraph (2) (b) above, which will not be served directly by the original main extension, times the cost per lot, as determined under subparagraph (2) (c) above, as a subsequent connector's fee for the connection of said lateral main extension to serve said land.

(f) Refunds on basis of subsequent connections. Monies thus collected by the Utility from new connections within a period of five (5) years after the main extension is placed in service, plus amounts by which three(3) times the annual revenue from service to each such subsequent connector, computed in accordance with subparagraph (2) (d) above, exceeds the Utility's estimated investment for connecting the same, shall be refunded to the original depositors who are parties to the original contract in proportion to their respective original deposits; provided, however, that no refunds shall be required to be made by the Utility until the number of customers actually connecting to the extension equals the number of original prospective customers used in computing the initial deposit required for the extension. Notwithstanding the foregoing, in no event shall the total refunds to any original depositor exceed the amount of his deposit; provided, however, that in the case of a phased residential real estate development, the preliminary plat of which must be submitted to the Utility at the time of the first request for main extension, during the five-year period beginning with the date that the first main extension for that development is placed in service, the amount of any refunds generated in excess of the deposit made on any other phase of the development so long as the total amount of refunds to

the original depositor shall not at any time exceed the total amount of his deposits during such period; and provided further, the Utility shall not require any subsequent connectors to deposit an amount hereunder which is in excess of the unrefunded balance of the aggregate of deposits received from all original depositors.

- (g) Method of making refunds. Refunds shall be due to each original depositor upon the connection of any customer exceeding the number of original prospective customers set out in the contract. Such refunds shall be paid annually or more frequently at the discretion of the Utility. The refund shall be made by mailing the refund to the depositor's last known address as shown on the books and records of the Utility. Any refund distribution which cannot be returned to a depositor after the refund becomes due and payable shall be reported as required by the Uniform Disposition of Unclaimed Property Act (IC 32-9-1-1) as the same may be amended from time to time.
- (h) Accounting for depositors and final disposition of balance thereof. All deposits hereunder shall be held by the Utility as customers' advances for construction. Any deposits which are no longer subject to refund because of the running of the five-year period as provided in subparagraph (2) (f) above, shall be transferred by the Utility to contributions in aid of construction. All other deposits shall be held as customers' advances for construction until returned to the depositors or turned over to the Attorney General of the State of Indiana as required by the Uniform Disposition of Unclaimed Property Act (IC 32-9-1-1), as the same may be amended from time to time, as required by subparagraph (2) (g) above.

(3) Computation of cost.

- (a) Actual and estimated costs. The cost of each main extension made hereunder shall, as set out in subparagraph (2) (a) above, be either the actual cost of the extension, or it may be computed by applying the appropriate actual average costs for similar conditions experienced by the Utility during its preceding fiscal year, plus or minus any amount necessary to adjust for known cost increases or decreases respectively.

The computation of cost, either actual or estimated, shall be based on an 8-inch main, unless a larger or smaller main as determined by the Utility, is reasonably necessary to serve the proposed customer or customers, including fire protection service, in which event the cost, estimated or actual, shall be based on the size of main required. If the cost is estimated, the computation shall be made by applying the Utility's appropriate actual average cost for the immediately preceding year of the main size and related facilities required, adjusted for known cost increases or decreases as above provided. In the absence of representative cost data for the previous year for any size or type of main or for any special construction incident to, or for any particular related facility involved in a main extension, the cost thereof as used for this purpose shall be the best estimate of the Utility of the cost of such mains, special construction, or related facilities based upon current available information.

If for the Utility's future extension plans a larger main is reasonably necessary for the service required, the difference in the cost of the larger pipe size and increased material and installation cost, if any, shall be borne by the Utility. If the original applicant or applicants request(s) service and it is determined by the Utility that a main larger than 8-inch is reasonably necessary to serve the domestic and fire protection requirements of said original applicant or applicants, and such domestic and fire protection requirements of the original applicant or applicants, are significantly in excess of such requirements of the other prospective customers along the intervening route of the main, the deposit or subsequent connectors' fee for the other prospective customers shall be calculated as provided under subparagraph (2) (e) above, except that the cost of the main extension for the purpose of determining the required deposit of subsequent customers, shall be based on a smaller size, which is determined by the Utility to be adequate to meet the requirements of the other prospective customers along said intervening route.

- (b) Information. All estimates of costs as required in (3) (a) above shall be determined by the Utility as aforesaid, and the Utility shall within the first quarter of each year submit to the Commission information used to establish the basis for such

estimated costs for typical main extensions. In the event that the applicant is required to make any payment, the Utility shall upon request make available to the applicant:

- i. The information used to establish the basis for the applicable amount as submitted to the PSC in compliance with PSC Rule 25; and
 - ii. The information used to establish the basis for the "estimated total revenue for a period of three (3) years to be realized by the Utility from permanent and continuing customers on such extension" as required by PSC Rule 25.
- (4) Contract for services. The Utility shall not be required to make extensions as described in this Rule unless the customers initially to be served by such extensions shall contract to use the service for a period of three (3) years. A bond may be required in this regard.
- (5) Special contracts. In instances where
- (a) The requested main is of such length and the prospective business to be developed by it is so meager as to make it doubtful whether the business from the extension would ever pay a fair return on the investment involved in such extensions, or
 - (b) The prospects are that the patronage and demand will not be of such permanency as to warrant the capital expenditure involved, or
 - (c) There are industrial installations requiring extensive water utility investment and where the demand for water service is expected to be slight, irregular or of unknown quantity, or
 - (d) In any other abnormal or out of the ordinary circumstances, the Utility and the party or parties requesting such extension may enter into a special contract establishing the terms and conditions upon which such extension will be made, and in the event they are unable to agree upon such terms and conditions the matter shall be submitted to the Commission for its determination and the contract embodying the terms and conditions so determined by the Commission to be appropriate shall thereafter be submitted to the Commission for approval.

- (6) Other basis of extensions permissible. This Rule shall not be construed as prohibiting the Utility from making free extensions of lengths greater than hereinabove specified or from providing a method of return of deposits for extensions more favorable to customers or depositors, so long as no discrimination is practiced among customers or depositors whose service requirements are similar.
- (7) Engineering practices. The Utility shall use good utility and engineering practices in determining the route for all main extensions. Any change or extension must be approved by the Utility prior to commencing work.

(B) Extensions constructed by subdivision or prospective customer.

As an alternative to Rule 12 (A), the Board may direct that extensions of mains and related facilities shall be accomplished under this provision.

A subdivider, prospective customer, or group of prospective customers in the same neighborhood may apply for extension of water mains, related facilities, and the connection of customers thereto as follows:

- (1) Application. A preliminary application shall be made to the Board on a form provided by the Utility. In the case of subdivisions, no application will be approved until the subdivision plan itself has received the preliminary approval of the City of Bloomington Plan Commission and no contract for repayment, as hereinafter provided, shall be executed by the Board until after the final approval of the subdivision plat has been given by the City of Bloomington Plan Commission and the approved plat recorded. The applicant shall submit plans and specifications for the proposed water main extensions to the Utility Engineer for his approval.
- (2) Utility requirements. If, for the Utility's future extension plans, a main larger than 6" or 8" is reasonably necessary, the difference in the cost of the larger pipe size and the increased cost of installation shall be borne by the Utility.
- (3) Costs. The applicant proceeding under Rule 12 (B) shall bear all costs of installation and construction of the main extension and services as set out in the plans and specifications. The applicant shall not be charged for the costs of inspection that occur within regular working hours, but shall be charged for the costs of inspection occurring outside those hours.
- (4) Inspection. During the course of the construction, the Utility shall have the right to inspect the work in progress and may order the applicant to comply with the approved plans and specifications during the course of construction.

- (5) Certification. Upon the completion of the line extensions according to the plans and specifications, the Utility Engineer shall certify its completion.
- (6) Contract. Upon certification of completion and a tendering to the Water Utility of all right, title and control in the water extension and appurtenant easements on a form furnished by the Utility and executed by the applicant, the Board shall approve and order the execution of a contract making payments to the applicant as follows:
- (a) As a new customer is connected for service to the mains conveyed, the water use charge of that customer, as it is paid, shall become the basis of a semi-annual payment to the applicant.
 - (b) Each customer billing shall continue to be added to this account for a period of three (3) years from the date of that customer's initial billing. After the expiration of the three (3) year period, no billing from that customer or a succeeding customer on that connection shall be counted toward the basis of a semi-annual payment.
 - (c) The billings of each new customer on the subject main shall be the basis for such calculations and payments for a period of five (5) years from the date of the first connection. Upon the expiration of such a five-year period, no added payment shall be made for any customer regardless of the length of service to that customer.
 - (d) The contract shall include a liquidated sum representing the cost of the water main extension, excluding the cost of fire hydrants. The total shall be certified by the Utility Engineer on the basis of verified accounts and billings presented to him.
 - (e) In no event shall the total of the sums paid to the applicant under subparagraph (6) (a) above, exceed the cost as certified in the contract.
 - (f) Payments made under this plan shall be in lieu of any other payments for connections to the mains to the applicant and the Board shall have to complete right to permit extensions and connections to the mains by other parties without requiring or making payments to the applicant, other than those set out above.

Rule 13. Complaints and Review.

(A) Procedure.

- (1) Complaint and request for conference. A customer may complain at any time to the Utility about any bill, security deposit, disconnection notice, or any other matter relating to the utility service, and may request a conference thereon. Such complaint may be made in person, in writing, or by completing a form available from either the Board at its Commercial Office or from the Commission. A complaint shall be considered filed upon receipt by the Utility, except mailed complaints shall be considered filed as of the postmark date. In making a complaint and/or request for conference, the customer shall state at a minimum the customer's name, service address and the general nature of the complaint.
 - (2) Investigation and report.
 - (a) Upon receiving each such complaint or request for conference, the Utility through its designated representative shall promptly, thoroughly and completely investigate such complaint, confer with the customer when requested and notify, in writing, the customer of the results of its proposed disposition of the complaint. The written notification shall advise the customer that the proposed disposition may be reviewed by the Board or a committee thereof, provided that a request for such review is filed with the Board within ten (10) days from the mailing of the written notification of the proposed disposition.
 - (b) Upon receiving such request, the Board or a committee thereof shall provide a formal review within thirty (30) days. The review shall consist of not less than a prompt and thorough investigation of the dispute and shall result in a written decision to be mailed to the customer. The parties shall be required to meet and confer to the extent and at such place as the Board may consider appropriate. The records of the Board relating to such reviews shall be available for public review.
- (B) Review. If the customer is dissatisfied with the Utility's proposed disposition of the complaint as provided in Rule 13 (A) (2), the customer may request the Commission in writing within ten (10) days following the date on which such notification is mailed, to informally review the disputed issue and the Utility's proposed disposition, as provided in PSC Rule 16.1 (B) (1). Such request shall certify that the customer has also sent a copy of the request for review to the Utility. (See appendix for PSC Rule 16.1 (B) (1).)

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- (1) If the customer is receiving service at the time the complaint and/or request for conference (as provided for in Rule 13 (A) (1) above) is received by the Utility, the customer's service shall not be disconnected until ten (10) days after the Utility has mailed the notification of its proposed disposition of the customer's complaint (as provided for in Rule 13 (A) (2)). Provided, however, if the customer has requested the Board to review the proposed disposition (as provided for in Rule 13 (A) (2)) or the Commission to review the proposed disposition (as provided for in Rule 13 (B) and PSC Rule 16.1 (B) (1)), (see appendix for PSC Rule 16.1 (B) (1)), then the Utility shall not disconnect the customer's service until ten (10) days after the Utility or the Commission has mailed its decision upon and pursuant to such review, if the customer who has requested the review has paid and continues to pay all undisputed bills, portions of disputed bills as specified in Rule 13 (C) (2) below, and pays all future undisputed bills prior to their becoming delinquent.
- (2) In those instances when the customer and the Utility cannot agree as to what portion of a bill is undisputed, it shall be sufficient that the customer pay on the undisputed bill an amount equal to the customer's average bill for the twelve (12) months immediately preceding the disputed bill except in those cases where the customer has received fewer than twelve (12) bills, in which event the customer shall pay an amount equal to 1/12 of the estimated annual cost of service to be rendered to the customer.

(D) Record of complaints.

- (1) The Utility shall keep a written record of complaints and requests for conferences. Such records shall be retained at the Commercial Office of the Utility and be readily available upon request by the concerned customer, his agent possessing written authorization, or the Commission.
- (2) The Utility shall submit an annual report to the Board and the Bloomington Common Council which shall state and classify the number of complaints made to the Utility, the general nature of the subject matter thereof, and whether Board or Commission review was conducted thereon.

1. LATE PAYMENT CHARGE

- a. Residential - 3% of gross water bill
(on all late payments except the first - no charge).
b. Commercial - 3% for first month; 2% thereafter
(no charge if paid within 25 days.).

2. METER SERVICE CALLS

- a. During normal business hours \$ 7.50
b. During overtime hours \$ 18.50

Covers: 1) Turn on, 2) Turn off (closing account excepted), 3) Non-payment shut off, 4) Re-read meter at customer request*, 5) Inspection for leaks, etc*.

*Once per year free; if Utility is at fault - no charge.

3. METER TESTS

- a. Meter Tests by Utility \$ 12.50
b. Meter Tests by Public Service Commission \$ 21.00
(Customer requests meter check, free if meter is at fault - 5/8" meter only)

4. NEW SERVICE INSTALLATION

- a. Tap main, Install tubing and meter \$230.00
b. Install tubing and meter (stub out) \$166.00
c. Dual meter setup - second meter \$ 97.00
d. Out of City Customers \$340.00

5. DEPOSITS

- a. Residential (two months average water charge) \$ 20.00
b. Others (two months average water charge) estimated.

Deposits will be returned after nine (9) months, provided customer has paid on time. Only required where applicant cannot meet credit requirements. Interest at 6% if deposit must be retained longer than nine months. (No interest on first nine months)

NOTE: All charges are for residential service (5/8" meter). Larger meters and/or other services are on a time and material basis.