

TERMS AND CONDITIONS

The following Terms and Conditions made by the Rumford Water District and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the District. The Customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

DEFINITIONS

The word “Commission” refers to the Maine Public Utilities Commission.

The word “Customer” means any person, firm, corporation or governmental division who has applied for and is granted service or who is responsible for payment of service.

The word “Establishment” means a location at which water service is desired or being rendered.

The words “Multi-unit Establishment” means any apartment buildings, duplex houses, condominiums, developments, mobile home parks and/or certain subdivisions.

The word “Main” means a water pipe, owned, operated, and maintained by the District, which is used to transmit or distribute water but is not a Water Service Pipe.

The words “Service Pipe” means a water line installed at the customers expense extending from a main to the premises of the Customer.

The word “District” refers to the Rumford Water District.

Other terms shall be as defined in Chapters 62 and 65 of the Commission’s Rules and Regulations.

1. **APPLICATION OF SERVICE** - The owner or the owner’s agent, or the occupant of the establishment requesting a new service or an existing customer increasing its demand on the District’s system may apply for service on forms provided by the District. Only the property owner may be an applicant for service to seasonal rental property. If a new service connection or other work to be done by the District is required at the establishment, the owner must authorize the District to enter the premises to do the necessary work.
2. **SERVICE PIPE** – The District shall specify the size and type of service pipe to be installed, installation standards and its location. The District or the customer’s contractor shall install the service drop portion of the service pipe, which is between the main and the curb stop, at the customer’s expense. The District shall

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own and maintain the service drop portion of the service pipe. The curb stop shall normally be located at the limit of the public way or the District's right-of-way. The customer shall install, own and maintain the service pipe from the curb stop to the customer's establishment.

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3. **BILLING ADDRESS** – The customer is responsible for providing a correct billing address. Failure of the customer to receive a bill does not relieve the customer of the obligation of its payment nor from the consequences of nonpayment.
4. **BILLING PROCEDURES** – Annual metered rates are billed in arrears at the end of the billing quarter.

Public and private fire protection charges shall be due and payable in advance, each year, on a quarterly basis.

The District does reserve the right to render bills monthly if it so desires for any of the service it provides.

All bills shall be payable at the office of the District or at any designated collection station. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of its payment nor for the consequences of non-payment. Bills under these rates are net and are due and payable upon presentation. Unpaid balances outstanding 25 days after postmark date are past due and the District shall apply late payment charges at the maximum rate allowed by the Maine Public Utilities Commission under Chapter 870 of the Commission's Rules.

5. **CREDIT AND COLLECTION PROCEDURES** – All credit and collection procedures for residential Customers will be based upon Chapters 810 and 870 of the Commission's Rules and Regulations. The District may demand a deposit from any residential Customer if it has proof (as defined in the regulations) that the Customer is likely to be a credit risk or will damage the District's property. The amount of a deposit shall not exceed a reasonably estimated bill for two (2) average billing periods. The interest rate on Customer deposits shall be the rate set from time to time by the Commission. All procedures for nonresidential Customers will be based upon Chapters 860 and 870 of the Commission's Rules and Regulations.
6. **DISCONNECTION OF LEASED OR RENTED PROPERTY** – Before disconnecting a leased or rented single-meter, multi-unit residential property, the District shall:
 - A. Comply with the notice requirements in Chapter 810 of the Commission's Rules and Regulations; and

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B. Assess, against the landlord, a collection fee of \$150.00 in addition to any applicable reconnection fee set forth in Section (6) of these Terms and Conditions; and

C. At the District's option, the District may separately meter or cause to be separately metered each dwelling unit within the property at the landlord expense; and

D. Apply any existing deposit to the current account balance; and

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E. Apply an existing deposit by Title 35-A M.R.S.A. Sec. 6111; and

F. Notify the Commission of the actions taken pursuant to these Terms and Conditions and their results.

G. Any tenant may become a Customer if the tenant assumes responsibility for future service under the conditions set forth in 35-A M.R.S.A. Sec 706 (2), Chapter 810, Sec 9 (I) (2) of the Commission's Rules, and Section 6, Credit and Collection Procedures, above.

7. **CHARGE FOR ESTABLISHMENT OF SERVICE** - The District will charge \$15.00 to establish water service if it is not necessary for the District to visit the premises to connect the service. If it is necessary for the District to visit the premises to connect the service (if the water is off and/or the meter is removed), the District will charge \$35.00 during the normal business hours of 7:30 a.m. to 3:00 p.m., Monday through Friday. The charge during other than normal business hours is \$52.50 per hour with a minimum charge of \$52.50.

8. **RESTORATION OF SERVICE** – The District will charge a Customer a reconnection fee to restore service at the Customer's premises if service was disconnected for non-payment, violation of these Terms and Conditions, fraudulent use of water, dangerous conditions on the Customer's premises, and violation of the Commission's Rules or temporary disconnection of service at the Customer's request.

The reconnection charge is \$35.00 for each resumption of service made during normal business hours of 7:30 a.m. to 3:00 p.m., Monday through Friday. The charge during other than normal business hours is \$52.50 per hour with a minimum charge of \$52.50.

9. **COLLECTION TRIP FEE** – If the District personnel visit the Customer's premises to disconnect service for non-payment and in lieu of actual disconnection the Customer pays or makes a payment arrangement for the entire past due balance, the District will charge a collection fee of \$10.00.

10. **CHARGE FOR RETURNED CHECKS** – The District will charge the Customer's account for any returned check returned by the bank for reason of

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non-payment. The charge is the greater of \$5.00 per check or the amount the bank charges the District, not to exceed \$15.00. The District will furnish the Customer with proof of any bank charges in the excess of \$5.00.

11. **UNAUTHORIZED USE OF WATER** – No Customer shall supply water to another, nor use it for any purposes not mentioned in his/her application without prior District approval. No person shall obtain water from any private hydrant, public hydrant or other fixture of the District without prior approval.

12. **MAINTENANCE OF PLUMBING** - A Customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing or heat damage. If damage goes occur, the Customer is liable for any expenses incurred by the Customer or the District.

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13. **CHARGE FOR DAMAGES METERS** – The District will charge the Customer for meters damaged by freezing, excessive heat or other events at the establishment. The charge for 5/8” through 1” meters shall be \$55.00 for labor plus 1.25 times the cost of repair parts and shall cover removal, repair and installation of a replacement meter. The charges for larger meters will be based upon the actual material and labor costs.

14. **NO TAMPERING WITH DISTRICT PROPERTY** – No person may tamper with District property. No valve, shutoff, hydrant, or standpipe, which is the property of the District, will be opened or closed or otherwise operated by other than persons authorized by the District.

15. **ACCESS TO PREMISES** – Employees of the District having proper identification shall have free access to all premises supplied with water, at all reasonable hours to permit the inspection of plumbing and fixtures, to set, remove or read meters, to ascertain the amount of water used and manner of use, and to enforce these Terms and Conditions.

16. **LIABILITY** - The District will only be liable for any damages arising from claims to the extent liability is provided in the Maine Tort Claims Act, as set forth in Title 14, Chapter 741 of the Maine Revised Statute Annotated. The District makes no representations or warranties about the suitability of the water for any particular purpose.

17. **SERVICE INTERRUPTION** – The District will provide notice of any planned shut-offs to affected Customers at least twenty-four hours in advance of the interruption of service. The District will give notice of any unplanned shut-offs when practicable. If a Customer requests, the District will make a pro rate reduction in the Customer’s minimum bill if service is interrupted for longer than forty-eight hours and the interruption is not the Customer’s fault.

18. **METERING POLICY** – All water service provided by the District, except Public and Private Fire Protection Service, shall be on the basis of meter

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measurements. Individual units in multi-unit establishments shall be individually metered. Existing customers served on the basis of fixture rates may continue to be served on that basis until the District is able to install a meter or requires the customer to install a meter pit. Existing multi-unit establishments serviced through a master meter may continue to be served through a master meter until the District requires individual meters to be installed pursuant to subsections A through E of this section.

- A. Service To A New Multi-unit Establishment. The District shall, before rendering service to a multi-unit establishment not previously served, require the owner of the establishment to arrange the piping so that a separate shutoff and meter may be installed for each unit in an accessible location acceptable to the District.

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- B. To An Existing Multi-unit Establishment. When an existing metered multi-unit establishment, served through a single meter, is reconstructed, renovated, or sold, or when an establishment is converted to a multi-unit establishment, the District shall require the owner to arrange the piping so that a separate shutoff and meter may be installed for each unit in an accessible location acceptable to the District.
- C. Service To A New Establishment. Whenever a new establishment applies for water service, the District shall require that a meter be installed.
- D. Service To An Existing Establishment. All existing establishments served on the basis of fixture rates shall have a meter installed as soon as practicable. When an existing establishment served under fixture rates is reconstructed, renovated, or sold, the District shall require that a meter be installed.
- E. Mobile Home Parks And Certain Other Developments And/Or Subdivisions. Whenever a mobile home park, development, or subdivision will have private ways or roads and the water mains will not be owned and maintained by the District, the owner shall construct a meter pit(s), as specified by the District, for the installation of one or more master meters. The District will not assume responsibility for maintaining water mains, services, shutoffs, or service boxes it does not own.

All units in a new home parks, developments and/or subdivisions and expansions thereof and all units moved or constructed to occupy existing lots in a mobile home park, development and/or subdivision shall be separately metered. The owner or individual shall install and maintain a

service box and shutoff before and after each meter. The water used by each metered unit will be billed to the owner/occupant of that unit.

The District will bill the owner or operator of the mobile home park, development and/or subdivision for all unmetered units based upon the usage recorded on the master meter(s) after deducting the usage of all individually meter and billed units.

- F. Utility Room. Whenever a multi-unit establishment is constructed or converted with a separate utility room, requiring water for laundry, boilers, outside spigots, and any other uses, which functions as a separate unit or a unit in common for all other units, it shall be separately metered.

19. **METER PIT POLICY** - The District may require the owner/developer of an establishment or multi-unit establishment to supply and install a meter vault(s) to its specifications as a condition of service when:

- A. The customer fails to provide a clean, warm, dry, safe and accessible location for the meter inside a building or structure.
- B. The actual laying length of the service pipe measures over 300' from the street line and a main extension is not required.

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- C. The location of the service pipe makes discovery of a possible leak unlikely.
- D. A single service supplies two or more units with no suitable common area in which to install the meters.
- E. Two or more units are supplied through multiple services, any one of which are located in front of, or enters a unit other than the unit it serves.
- F. An existing service is deemed by the District to be substandard or deteriorated and the customer refuses to replace it.

20. **METER TESTING** – The District will test its water meters according to the schedule and standards in Chapter 620 of the Commission’s Rules. Upon Customer request, the District will test the Customer’s water meter in the presence of the Customer or representative, at no charge unless the Customer requests more than one test in an 18-month period. If the Customer requests a test more frequently, the District may require the Customer to pay an \$80.00 deposit to cover the cost of the test. If a meter tested at the Customer’s request does not conform to standards, the Customer’s deposit will be refunded and the District will adjust the Customer’s bill according to the provisions of Chapter 620. If the meter conforms to standards, the District may keep the Customer’s deposit and continue to use the meter at the Customer’s premises.

21. **SUBMETERING** – Additional or auxiliary meters for showing subdivision of water use must be furnished, installed, read and maintained at the Customer’s own expense.

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22. **STOP VALVE** – Every service must be provided with an operable stop valve located inside the building, near the service entrance, easily accessible, and protected from freezing. All new service installations and services to establishments renovated after January 1, 2008 shall have two operable and accessible stop valves, one located on each side of the meter. All plumbing must be installed to prevent back-syphonage and to permit draining whenever necessary.
23. **CROSS CONNECTIONS** –No cross connection between the public water supply system and any other supply will be allowed unless properly protected in accordance with the directives and rules of the Division of Environmental Health (DEH), and no new cross connection may be installed without the approval of the DEH and the District. In addition, no connection capable of causing back flow between the public water supply system and any plumbing fixture, device or appliance, or between any waste outlet or pipe having direct connection to waste drains will be permitted. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limited specified by the District, The District may disconnect the service according to Chapter 810 or Chapter 860 of the Commission’s Rules. The District’s cross connection rules are on file at the District Office.

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24. **FLUCTUATION OF PRESSURES BY CUSTOMER’S APPARATUS**
No Customer shall install or use any device or apparatus which will affect the District’s pressure or operating conditions so as to interfere with the service of any other customer. Where a customer has installed, or proposes to install, apparatus which requires water in sudden and/or material quantities impairing the pressure to the detriment, damage or disadvantage of other customers, the District reserves the right to require such customer to install devices or apparatus which will confine such fluctuation of demand or reduction of pressure within reasonable limits determined by the District.

If the customer, after receiving written notice from the District, fails to present an acceptable remedial plan within a time limit set by the District, service will be discontinued pursuant to the provisions of Chapter 810 of the Public Utilities Commission’s Rules and Regulations.

25. **SAFEGUARDING DIRECT PRESSURE WATER DIVICES AND SYSTEMS SUPPLIED BY AUTOMACTIC FEED VALVES** - All Customers having direct pressure water devices, including but not limited to booster pumps, hot water tanks or secondary systems supplied by automatic feed valves, shall have installed and maintained in operating condition appropriate

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vacuum, temperature and pressure relief valves, expansion tanks and low water cutouts in their water system to prevent damage should it become necessary to shut off the water main or service or should a pressure surge or failure occur for any other reason. Water service supplied to any customer not providing such protection devices will be strictly at the risk of the customer. The customer will be liable for damage resulting from the lack or failure of such protection devices or high pressure from thermal expansion.

26. **DISTRICT JOBBING** – Jobbing is the provision of unregulated utility service, such as construction services. A Customer must complete a written application before the District will provide jobbing services. The Customer must pay a deposit equal to the District’s written estimate. Unless the work is done on a flat rate basis, the District will return any excess deposit upon completion. If the final cost exceeds the deposit, the Customer must pay the additional amount upon completion.

The hourly rate for Jobbing during normal business hours of 7:30 a.m. to 3:00 p.m., Monday through Friday, is \$35.00. The hourly rate for other hours and holidays is \$52.50. The District shall establish fair and reasonable rates for its machinery and equipment. Materials furnished by the District shall be billed at cost plus 25%.

27. **WINTER CONSTRUCTION** – No new service or extension of Mains will be installed for the convenience of a Customer during winter conditions (normally between November 1st and May 1st) which increase the cost of the work for the District unless the Customer assumes all extra expense over ordinary construction costs.

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28. **USE OF HOSE AND LAWN SPRINKLERS** – When necessary to conserve water supply, the District may restrict or prohibit the use of hoses and sprinklers.
29. **JOINT USE OF SERVICE PIPE TRENCH** – Normally, Water Service Pipes will not be placed in the same trench with other District facilities. Where possible, a horizontal separation of ten feet will be provided.

Where extenuating, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed provided that the installation complies with all applicable laws, rules and regulations and it is approved by the District and the Division of Environmental Health.

30. **FIRE HYDRANTS** – Fire Hydrants may not be used for any purpose other than to extinguish fires, unless prior permission is given by the District. Fire

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Hydrants must not be opened by any person other than an agent of the District or a duly authorized representative of the municipality or the owner.

31. **PRIVATE FIRE PROTECTION** – Customers requiring private fire protection must contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the Customer's expense with the bounds of the public way or right of way. The fire service line, after installation, will be owned and maintained in the public way or right of way by District. Ready-to-service charges for fire services are billed quarterly. The District does not guarantee any quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. Timely notice must be given to the District so a representative of the District can be present to observe the test.

32. **WATER MAIN EXTENSIONS AND SERVICE LINES** – The District has elected, pursuant to 35-A M.R.S.A. S6106, to make no investment in water main extensions or new water service pipe installations. The District will require persons requesting a water main extension or service line to deposit the full estimated cost of the construction including associated appurtenances.

33. **SERVICE TO AREAS OF THE SYSTEM HAVING PRESSURE BELOW 20 P.S.I.** – The District shall not extend its mains or render service to new customers in areas where substantially uniform pressure, at the connection of the water service to the main may be expected to fall below 20 p.s.i.g., except for periods of fire flow or system maintenance, unless a limited service contract is executed between the customer and the District and approved by the Maine Public Utilities Commission.

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