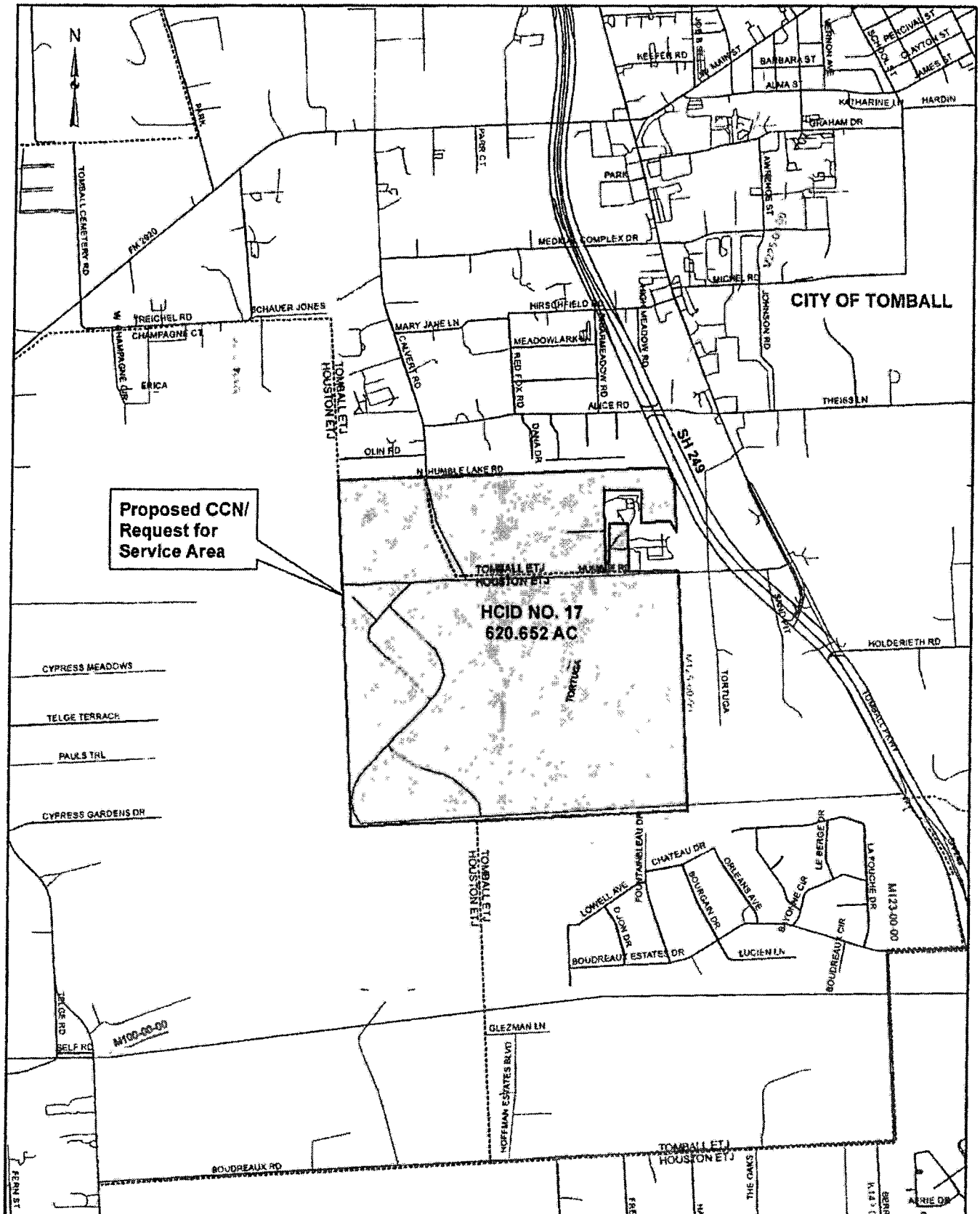


ATTACHMENT A



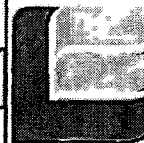
CCN MAP

PROPOSED AMENDMENT TO AQUA
TEXAS, INC. SEWER CCN NO. 21065

PROJECT NO.: 70120

DATE: JANUARY 2015

SCALE: 1 IN = 2,000 FT



LANDEV
Engineers, Inc

FEB 23 2015

SERVICE QUESTIONNAIRE - WATER

1. Are you willing to provide water utility service to the property identified in Attachment A (the "Property")?

____yes Xno (mark appropriate statement with an X)

Please complete Question Nos. 2-11 only if your response to Question No. 1 was yes.

2. Do you currently have the service capabilities to provide continuous and adequate water utility service to the Property except for the mains necessary to interconnect the Property with your existing water utility system? ____yes ____no

3. Will you have to build additional water service capacities to serve the Property? ____yes ____no

4. What are the additional water service capacities that will be required for you to serve the Property?

5. What is the estimated cost for you to provide water service to the Property? \$_____

6. Of the amount identified in response to Question No. 5, what amount will be paid by the Developer and what amount will be paid by your retail public utility?

\$_____ to be paid by Developer \$_____ to be paid by your retail public utility

7. When will water service be made available by you to the Property?

8. Are there any other requirements for obtaining water service to the Property from you?

9. Has your water system been compliant with all TCEQ and PUC regulations for at least the past five consecutive years? ____yes ____no

10. Has your water system been compliant with all applicable non-TCEQ/PUC Federal, state, and local health, safety, and environmental statutes and regulations for at least the past five consecutive years? ____yes ____no

11. What are your retail water utility service rates? _____

Kerry K. Johnston
(signature)

Kerry K. Johnston
(print name)

President
(title)

Johnston Water Utility LLC
(District/Utility)

SERVICE QUESTIONNAIRE - SEWER

1. Are you willing to provide sewer utility service to the property identified in **Attachment A** (the "Property")?

____yes ☒no (mark appropriate statement with an X)

Please complete Question Nos. 2-11 only if your response to Question No. 1 was yes.

2. Do you currently have the service capabilities to provide continuous and adequate sewer utility service to the Property except for the mains necessary to interconnect the Property with your existing sewer utility system? ____yes ____no

3. Will you have to build additional sewer service capacities to serve the Property? ____yes ____no

4. What are the additional sewer service capacities that will be required for you to serve the Property?

5. What is the estimated cost for you to provide sewer service to the Property? \$_____

6. Of the amount identified in response to Question No. 5, what amount will be paid by the Developer and what amount will be paid by your retail public utility?

\$_____ to be paid by Developer \$_____ to be paid by your retail public utility

7. When will sewer service be made available by you to the Property?

8. Are there any other requirements for obtaining sewer service to the Property from you?

9. Has your wastewater system been compliant with all TCEQ and PUC regulations for at least the past five consecutive years? ____yes ____no

10. Has your wastewater system been compliant with all applicable non-TCEQ/PUC Federal, state, and local health, safety, and environmental statutes and regulations for at least the past five consecutive years? ____yes ____no

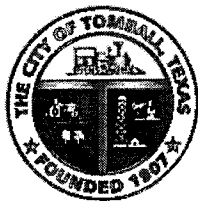
11. What are your retail sewer utility service rates? _____

Kerry K. Johnston
(signature)

Kerry K. Johnston
(print name)

President
(title)

Johnston Water Utility LLC
(District/Utility)



City of Tomball

Gretchen Fagan
Mayor

George Shackelford
City Manager

February 17, 2015

615 Willow Creek Development, Ltd.
340 North Sam Houston Parkway East, Suite 140
Houston, Texas 77060

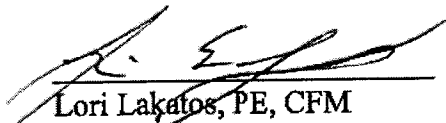
Re: Service Availability Request – Water and Sanitary
Harris County Improvement District No. 17 & Aqua Texas, Inc.

Dear Mr. Fogarty,

The City of Tomball received the Service Availability Request on behalf of 615 Willow Creek Development, Ltd. The City of Tomball's policy is to not provide services to properties located outside the City Limits. Should the developer like to receive services from the City of Tomball for water and sanitary the property will need to be within the City of Tomball's extraterritorial jurisdiction and requested to be annexed. The City of Tomball does have capacity to supply 100 living unit equivalents at 250 gallons per day.

Please let me know if you have any questions or need more information.

Sincerely,



Lori Lakatos, PE, CFM
City Engineer

CC: George Shackelford, City Manager
Craig Meyers, Community Development Director
David Esquivel, Public Works Director

Attachment 13

**TCEQ DOMESTIC WASTEWATER PERMIT APPLICATION
DOMESTIC TECHNICAL REPORT 1.0**

**THE FOLLOWING IS REQUIRED FOR ALL APPLICATIONS;
RENEWAL, NEW, AND AMENDMENT**

1. PERMITTED AND/OR PROPOSED FLOWS (Instructions, Page 39)

PERMITTED AND/OR PROPOSED FLOW:	Existing/Interim I Phase	Interim II Phase	Final Phase
Design Flow (MGD)	0.0625	0.125	0.60
2-Hr Peak Flow (MGD)	0.25	0.5	2.4
Date construction estimated to commence	2015	2017	2019
Date waste disposal estimated to commence	2015	2017	2019

Phase currently in operation: None

2. NAICS and SIC CODE (Instructions, Page 39)

Provide the appropriate SIC Code: 4952 and NAICS code: _____

3. TREATMENT UNITS (Instructions, Page 40)

- a. Provide a detailed description of the treatment process. Include the **type of treatment plant, mode of operation, and all treatment units**. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. **If more than one phase exists or is proposed in the permit, a description of each phase must be provided.**

ATTACHMENT 'J'

Port or pipe diameter at the discharge point: 8 inches

- b. Provide the startup date of the current treatment facility: New permit

Have plans and specifications been approved for the existing facilities and/or each proposed phase?

☐ Yes ☒ No

(If yes, provide the date(s) of approval for each phase) _____

- c. For applicants with an existing permit: Check the Other Requirements page(s) of the existing permit and provide information (including dates) on any actions taken to meet an Other Requirement pertaining to the submission of a summary submittal letter if applicable.

NA

- d. Have the buffer zone requirements been met? ☒ Yes ☐ No

- e. For applicants with an existing permit: Check the Other Requirements page(s) of the existing permit and provide information (including dates) on any actions taken to meet the conditions of an Other Requirement pertaining to the buffer zone if applicable.

NA

- f. Provide flow diagrams for the existing facilities and/or each proposed phase of construction. Indicate by a check mark that the required information is included. ☒

- g. Provide the type and dimensions (length, width, height) of each treatment unit and for all phases. ATTACHMENT 'N'

TREATMENT UNITS	# OF UNITS	DIMENSIONS (L x W x D)
ATTACHMENT 'J'		

4. POLLUTANT ANALYSIS OF TREATED EFFLUENT (Instructions, Page 40)

Provide an analysis of the treated effluent for the following pollutants (data must be taken within 1 year of the date of application submission: (Not required for new permit applications unless the facility is in operation) **NA**

For discharges from **water treatment plants** provide the following pollutant analysis: Total Suspended Solids, Total Dissolved Solids, pH, aluminum, and fluoride instead of the table below.

POLLUTANT	CONCENTRATION		NUMBER OF SAMPLES	TYPE OF SAMPLE	SAMPLE DATE/TIME
	AVG.	MAX.			
(1) CBOD ₅ mg/l					
(2) Total Suspended Solids, mg/l					
(3) Ammonia-Nitrogen, mg/l					
(4) Nitrate-Nitrogen, mg/l					
(5) Total Kjeldahl Nitrogen, mg/l					
(6) Sulfate, mg/l					
(7) Chloride, mg/l					
(8) Total Phosphorus, mg/l					
(9) pH, standard units					
(10) Dissolved Oxygen, mg/l					
(11) Chlorine Residual, mg/l					
(12) <i>E. coli</i> (colonies/100ml) freshwater discharge					
(13) Enterococci (colonies/100ml) saltwater discharge					
(14) Total Dissolved Solids, mg/l					
(15) Elec. Conductivity, umhos/cm					
(16) Oil and Grease, mg/l					

5. FACILITY OPERATOR (Instructions, Page 41)

Provide the name and operator certification number for the facility operator:

Contract Operations to Be Determined

6. SEWAGE SLUDGE MANAGEMENT AND DISPOSAL (Instruction, Page 41)

- a. Please check the current sludge disposal method or methods. More than one method can be checked. **ATTACHMENT 'K'**

Permitted landfill

Permitted or Registered land application site for beneficial use

Land application for beneficial use authorized in the wastewater permit

Marketing and distribution as authorized in the wastewater permit

Composting as authorized in the wastewater permit

Permitted surface disposal site (sludge monofill)

Surface disposal site (sludge monofill) authorized in the wastewater permit

- ✓ Transported to another permitted wastewater treatment plant or permitted sludge processing facility (a current statement or agreement is required, see the item below)
- ✓ Written statement/contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge is attached

Other method (provide description):

- b. Provide the following information for the sludge site:

Disposal site name: _____

TCEQ Permit or Registration Number: _____

County where the site is located: _____

- c. Provide the following:

Method of transportation (truck, train, pipe, other): _____

Name of the hauler: _____

Hauler Registration Number: _____

Transported in: ☐ liquid ☒ semi-liquid ☐ semi-solid ☐ solid state

Land application for: ☐ Reclamation ☐ Soil Conditioning

7. PERMIT AUTHORIZATION FOR SEWAGE SLUDGE DISPOSAL (Instructions, Page 41)

- a. Does the existing permit include authorization for land application of sewage sludge for beneficial use? ☐ Yes ☒ No

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use: ☐ Yes ☒ No

If yes, is the completed **APPLICATION FOR PERMIT FOR BENEFICIAL LAND USE OF SEWAGE SLUDGE (TCEQ Form No. 10451)** attached to this permit renewal application (see the instructions for details): ☐ Yes ☒ No

- b. Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

Sludge Composting	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Marketing and Distribution of sludge	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Sludge Surface Disposal or Sludge Monofill	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Temporary storage of sludge in sludge lagoons	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **DOMESTIC WASTEWATER PERMIT**

APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056) attached to this permit renewal application. ☐ Yes ☒ No

8. SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN (Instructions, Page 42)

Does the facility discharge in the Lake Houston watershed? ☒ Yes ☐ No

Does the facility accept sludge from other domestic wastewater treatment facilities?
☐ Yes ☒ No

If yes to either question, is the required solids management plan attached? ☒ Yes ☐ No

9. SEWAGE SLUDGE LAGOONS (Instructions, Page 43)

a. Location information

Indicate by a check mark that the following required maps are submitted as part of the application and that they contain the required information?

- ☐ Original General Highway (County) Map
- ☐ USDA Natural Resources Conservation Service Soil Map
- ☐ Federal Emergency Management Map
- ☐ Site map

Indicate by a check mark if any of the following existing within the area used/proposed for the lagoons:

- ☐ Overlap a designated 100-year frequency flood plain
- ☐ Soils with flooding classification
- ☐ Overlap an unstable area
- ☐ Wetlands
- ☐ Located less than 60 meters from a fault
- ☐ None of these

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

b. Temporary storage information

Provide the results of the following in addition to the pollutants listed in the Technical Report 1.0

Pollutant	mg/kg
Nitrate Nitrogen	
Total Nitrogen	
Phosphorus	
Potassium	
pH (Standard Units)	
Ammonia Nitrogen	

Provide the following information:

Volume and frequency of sludge to lagoon(s): _____

Total dry tons stored in the sludge lagoon(s) per 365-day period: _____

Total dry tons stored in the sludge lagoon(s) over the life of the unit: _____

c. Facility information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of 1×10^{-7} cm/sec? ☐ Yes ☐ No

If yes, describe the liner: Please note that lining is required.

d. Site Development Plan

Provide a detailed description of the methods used to deposit sludge in the lagoon(s):

In addition to the detailed description, please indicate by a check mark that the following information is provided:

- ☐ Plan view and cross-section of the sludge lagoon(s)
- ☐ Copy of the closure plan
- ☐ Copy of deed recordation for the site
- ☐ Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons
- ☐ Description of the method of controlling infiltration of groundwater and surface water from entering the site
- ☐ Procedures to prevent the occurrence of nuisance conditions

e. Groundwater Monitoring

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

☐ Yes ☐ No If groundwater monitoring data are available, provide a copy.

Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

10. AUTHORIZATIONS/REQUIREMENTS/COMPLIANCE/ENFORCEMENT
(Instructions, Page 44)

- a. Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc? ☐ Yes ☒ No

If yes, provide the TCEQ authorization number and description of the authorization:

- b. Is the permittee currently under enforcement? ☐ Yes ☒ No

Is the permittee required to meet any implementation schedule for compliance or enforcement? ☐ Yes ☒ No

If yes to either question for item 10, provide a brief summary of the enforcement and/or implementation schedule, and a status update:

11. UNBUILT PHASES (Instructions, Pages 44)

Is the application for renewal of a permit that contains an unbuilt phase or phases?

☐ Yes ☒ No

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ? ☐ Yes ☒ No

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

12. SITE DRAWING (Instructions, Page 45)

ATTACHMENT

Provide a site drawing for the facility. Indicate by a check mark that it contains the following.

- ☒ The boundaries of the treatment facility
- ☒ The boundaries of the area served by the treatment facility
- ☐ If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds
- ☐ If sludge disposal authorized in the permit, the boundaries of the land application or disposal site

Provide the name and description of the area served by the treatment facility.

The service area will be the area adjacent to 2978 and Spring Creek. This will be a regional WWTP to serve the currently unserved area

13. RCRA/CERCLA/OTHER WASTES (Instructions, Page 45)

- a. Does the facility receive, will it receive, or has it received RCRA hazardous waste in the past three years? ☐ Yes ☒ No
- b. Does the facility receive, will it receive, or has it received in the past three years, CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater? ☐ Yes ☒ No
- c. If yes to either a. or b., is a detailed attachment with information concerning these wastes provided? ☐ Yes ☒ No

14. LABORATORY ACCREDITATION:

New Permit N/A

Effective July 1, 2008, all laboratory tests performed must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification with the following general exemptions:

- i. The laboratory is an in-house laboratory and is:
 - 1. periodically inspected by the TCEQ; or
 - 2. located in another state and is accredited or inspected by that state; or
 - 3. performing work for another company with a unit located in the same site;or
- 4. performing pro bono work for a governmental agency or charitable organization.
- ii. The laboratory is accredited under federal law.
- iii. The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- iv. The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review 30 TAC Chapter 25 for specific requirements. The following certification statement shall be signed and submitted with every application. See Instructions, TCEQ Form 10053-inst, Page 30, for a list of designated representatives who may sign the certification.

CERTIFICATION:

I, _____
Typed or Printed Name *Title*

certify that all laboratory tests submitted with this application meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

Signature *Date*

Attachment

14

**PRELIMINARY ENGINEERING REPORT
FOR CONSTRUCTION OF A WATER SYSTEM
AT
WILLOW CREEK INDUSTRIAL PARK
HARRIS COUNTY, TEXAS**

Prepared for:

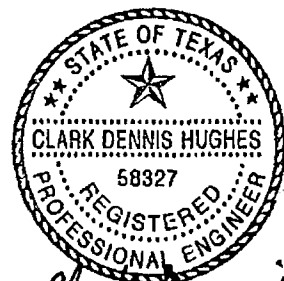
**Aqua Texas, Inc.
1106 Clayton Lane, Suite 400W
Austin, Texas 78723**

Prepared by:

**Landev Engineers, Inc.
1704 Seamist Drive, Suite 410
Houston, Texas 77008**

TBPE Registration No.: F-4387

March 2015



Clark Dennis Hughes
3/4/15

**PRELIMINARY ENGINEERING REPORT
FOR CONSTRUCTION OF A
WATER SYSTEM AT
WILOW CREEK INDUSTRIAL PARK
HARRIS COUNTY, TEXAS**

PURPOSE

The purpose of this report is to present the basis of design and a summary of unit sizing and calculations to the Texas Commission on Environmental Quality (TCEQ) for a proposed Water System to be used by Aqua Texas, Inc. to serve a new development in Harris County, Texas. Aqua Texas, Inc. plans to apply to the Public Utility Commission of Texas (PUC) for approval to include the development property within its amended CCN service area. A full set of plans and specifications will be submitted to the TCEQ for the public drinking water system approval before the water system is constructed and placed in service.

CRITERIA USED TO DEVELOP PROPOSED FACILITIES

The criteria used to design the facilities are contained in 30 TAC 290. The following is a summary of those criteria:

1 Connection = 1 Equivalent Single-Family Connection (ESFC) = 1 Living Unit Equivalent (LUE) =
1 Service Unit Equivalent (SUE) = 250 gallons per connection
day

WELL:	0.6 gpm/conn
SERVICE PUMPS:	2 gpm/conn
GST:	200 gal/conn
HPT:	20 gal/conn

DESCRIPTION OF AREA AND SITE:

The development is located in Harris County 25 miles northwest of downtown City of Houston and 0.3 miles southwest from downtown City of Tomball. The land area is approximately 620 acres. The total proposed ultimate LUE's (living unit equivalent) is 670. The topography is flat, with little variations of the land surface. The area being developed is partially wooded.

EXISTING DEVELOPMENT

There is no existing commercial or residential development within the proposed development. There are petroleum installations.

PROPOSED DEVELOPMENT

The proposed development will be marketed as commercial development with no permanent residents. The proposed water system will be designed in accordance with criteria set forth by the TCEQ.

Ultimate working personnel is estimated by the Developer at a population of 1500.

SOURCE OF WATER

All water will be from wells and will be chlorinated as required by TCEQ Regulations.

Phase I will include a well with a minimum capacity of 200 LUE's, a pressure tank and a ground storage tank by end of year 1. The design will include sufficient reserves to accommodate up to 249 LUE's.

Phase II will be an expansion of the plant facilities to include ground storage, system pumps and another water well as required to accommodate the ultimate 670 LUE's.

FACILITIES SITE

Certain sanitary hazards will be investigated, and the following assurances will be provided:

1. There will be no known abandoned or inoperative water wells within ¼ mile of the well;
2. There will be no known sewage treatment plants, sewage treatment plant effluent or sludge land application sites, animal feed lots or livestock pens, or solid waste disposal sites within 500 feet of the well;
3. There will be no known sewage wet well or pump stations or ditches containing sewage treatment waste or industrial waste within 300 feet of the well;
4. There will be no known septic tank fields, underground fuel or petrochemical storage tanks, on-site sewage irrigation fields, or water wells that do not meet PDW standards within 150 feet of the well;
5. There will be no known tile or concrete sanitary sewer lines, septic tanks, or livestock pastures within 50 feet of the well, and'
6. The wells, storage and pumping facilities will have perimeter fencing and proper sanitary control easements.

Proposed Water Supply Facilities:

Facility	1 st Phase Capacity	Capacity (Conn)	Future Capacity	Future Capacity (Conn)	Total Capacity (Conn)	TCEQ Criteria
Well	1-150 gpm	249	2nd-Well	421	670	0.6 gpm/conn
Pressure Tank	1-6,000 gal	300	1-7,500 gal	375	675	20 gal/conn
Ground Storage	1-66,000 gal	330	1-68,000 gal	340	670	200 gal/conn
Booster Pump	2-250 gpm	250	2-450 gpm	450	700	2.0 gpm/conn

ADEQUACY OF SYSTEM

The piping system will be designed per TCEQ Requirements to provide at least minimum capacity and pressure throughout the system and will be submitted to the TCEQ for review prior to construction.

ATTACHMENTS

Location Map

Attachment 15

**WATER UTILITY TARIFF
FOR
Southeast Region**

Aqua Texas, Inc
(Utility Name)

1106 Clayton Lane, Suite 400W
(Business Address)

Austin, Texas 78723
(City, State, Zip Code)

(512) 990-4400
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

13203

This tariff is effective in the following counties:

See attached Table – Southeast Region

This tariff is effective in the following cities or unincorporated towns (if any):

City of Conroe, City of Cut and Shoot, City of Dayton, City of Houston, City of Nederland, City of Port Arthur & City of Pearland

The rates set or approved by the city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the TCEQ and will have to be obtained from the city or utility. The rates charged within the City of Houston were established through a settlement agreement. Those rates will have to be obtained from the city of the utility.

This tariff is effective in the following subdivisions and public water systems:

See attached Table – Southeast Region

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION 1.0 -- RATE SCHEDULE	2
SECTION 2.0 -- SERVICE RULES AND REGULATIONS.....	6
SECTION 2.20 -- SPECIFIC RULES AND REGULATIONS.....	11
SECTION 3.0 -- EXTENSION POLICY.....	17
SECTION 3.20 -- SPECIFIC UTILITY EXTENSION POLICY.....	18
SECTION 4.0 -- DROUGHT CONTINGENCY PLAN	25

APPENDIX A -- SAMPLE SERVICE AGREEMENT

APPENDIX B -- APPLICATION FOR SERVICE

Table – Southeast Region		
System/Subdivision Name	PWS ID	County
Alton Theiss Subdivision	1012806	Harris
Atascocita Acres Subdivision	1011687	Harris
Bammel Oaks Estates I	1010809	Harris
Bammel Oaks Estates II	1010810	Harris
Bear Branch Estates	1700356	Montgomery
Beauxart Gardens		Jefferson
Berry Hill Estates	1011860	Harris
Blazer Business Park		Harris
Boudreaux Gardens	1011084	Harris
Brittmoore Utility	1011014	Harris
Brushy Creek	1700601	Montgomery
Camilla Twin Harbor (3278 Water Company, Inc.)	2040038	San Jacinto
Candlelight Hills Subdivision	1010532	Harris
Carriage Hills	1700279	Montgomery
Cedar Estates	1460102	Liberty
Cedar Point	1870155	Polk
Cimmaron Country	1700555	Montgomery
Classic Pines Subdivision	1013144	Harris
Clear Creek Forest, Sec.12	1700437	Montgomery
Cloverdale Addition		Jefferson
Country Club Green	1013189	Harris
Country Lakes Subdivision		Fort Bend
Country Side Estates	1230037	Jefferson
Creek Side Estates South	1011647	Harris
Cricket Hill Estates	1010947	Harris
Crystal Forest Subdivision	1700096	Montgomery
Cypress Creek Ranch	1013296	Harris
Cypress Fields Subdivision	1011651	Harris
Cypress Place	1010254	Harris
Dayton Creek Water System	1460141	Liberty
Dayton Oaks Estates	1460136	Liberty
Decker Woods Subdivision	1700330	Montgomery
Deerwood Subdivision	1700264	Montgomery
Dogwood Hills	1700129	Montgomery
Estates of Willow Creek	1013262	Harris
Fairway Crossing	1013127	Harris
Fawnwood		Montgomery
Fulbrook Subdivision Water Plant	0790385	Fort Bend
Glen Forest Estates	1010129	Harris
Green River Estates		Harris
Greenfield Forest	1700665	Montgomery
Hahls Suburban Farms (Brittmoore)		Harris
Harcourt Farms (Brittmoore)		Harris
Heron Lakes Estates	1013089	

System/Subdivision Name	PWS ID	County
Hilltop Acres		Harris
Hunters Village Subdivision	1013159	Harris
Huntington Estates	1700324	Montgomery
Imperial Valley	1013153	Harris
Independence Farms (Brittmoore)		Harris
Indigo Ranch	1700651	Montgomery
Industrial Utilities	1010068	Harris
J & W		Harris
Jackport Industrial Park		Harris
Jersey Acres (Brittmoore)		Harris
Katy Estates		Harris
Kitzwood Subdivision	1011536	Harris
Lake Conroe Forest Subdivision	1700134	Montgomery
Lake Conroe Village	1700543	Montgomery
Lake Creek Forest	1700529	Montgomery
Lake Livingston Village	1870156	Polk
Lake of Mission Grove	0790423	Fort Bend
Lakes of Rosehill Water System	1013050	Harris
Marks Glen Subdivision	1011510	Harris
Mobile Home Estates	1010288	Harris
Niagra Public Water Supply	0790261	Fort Bend
North Pines MHP		Harris
North Wood Estates	1010915	Harris
Oak Manor	1011633	Harris
Oakwood Acres	1700216	Montgomery
Oakwood Village Mobile Home Subdivision	1011803	Harris
Old Egypt Subdivision	1700666	Montgomery
Palm Crest	0200617	Brazoria
Park Forest Subdivision	1013041	Harris
Peek Road Utilities	1011955	Harris
Perimeter Park		Harris
Petropark & PAR (Brittmoore)		Harris
Pine Trails Utility	1010535	Harris
Plantation on Cotton Bayou	0360096	Chambers
Port Adventure	2280031	Trinity
Pyssens Live Oak Estates Subdivision	2410010	Wharton
Redwood Estates MHP	1010307	Harris
Richland Hills Subdivision		Brazoria
Riverwood Forest	0790405	Fort Bend
Rolling Oaks	1011861	Harris
Rosemeadows III	0790396	Fort Bend
Shadow Bay Subdivision	1700393	Montgomery
Shadow Grove Estates	0790389	Fort Bend
Shamrock Acres		Jefferson
South Dayton Oaks	1460115	Liberty
Stable Gates	1013103	Harris

Table - Southeast Region (Continued)		
System/Subdivision Name	PWS ID	County
Summer Lakes Ranch	1013187	Harris
Tasfield	1011685	Harris
Tejas Creek		Montgomery
Timberloch Estates	1700641	Montgomery
Turtle Creek Subdivision	1700287	Montgomery
Wagon Wheel Utility Company (Cas Con Acres)	0200024	Brazoria
Walnut Springs	1700128	Montgomery
Walraven Subdivision	1013195	Harris
West Magnolia Forest	0930042	Grimes
Westgate Subdivision	1010622	Harris
Westwood I & II	1700201	Montgomery
White Oak Ranch	1700670	Montgomery
Wilshire Subdivision	1700321	Montgomery
Woodland Ranch	1700657	Montgomery

***Note: Pine Trails has different rates as per settlement agreement

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
5/8" or 3/4"	\$ <u>20.84</u> (Includes 0 gallons)	\$ <u>2.95</u> per 1000 gallons, over the minimum
1"	\$ <u>52.11</u>	
1 1/2"	\$ <u>104.22</u>	
2"	\$ <u>166.76</u>	
3"	\$ <u>312.67</u>	
4"	\$ <u>521.12</u>	
6"	\$ <u>1,042.24</u>	
8"	\$ <u>1,667.58</u>	
10"	\$ <u>2,396.60</u>	

Rate Case Expense Surcharge: \$2.50 per month per connection for each water and sewer customers for 24 months or until the total amount of \$2,751,170.50 is collected, whichever comes first, starting January 1, 2009.

Deferred Expense Surcharge: \$9.94 per month per connection for each water and sewer customers for 24 months or until the total amount of \$10,946,000.00 is collected, whichever comes first, starting January 1, 2009.

FORM OF PAYMENT: The utility will accept the following forms of payment:

Cash X (If in Person), Check X, Money Order X, Credit Card _____, Other (specify) _____
THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENTS MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS.

REGULATORY ASSESSMENT 1.0%
TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL.

Section 1.02 - Miscellaneous Fees

TAP FEE \$500.00
TAP FEE COVERS THE UTILITY'S COSTS FOR MATERIALS AND LABOR TO INSTALL A STANDARD RESIDENTIAL 5/8" or 3/4" METER. AN ADDITIONAL FEE TO COVER UNIQUE COSTS IS PERMITTED IF LISTED ON THIS TARIFF.

TAP FEE (Unique costs) Actual Cost
FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

TAP FEE (Large meter) Actual Cost
TAP FEE IS THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METER SIZE INSTALLED.

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SECTION 1.0 -- RATE SCHEDULE (Continued)

~~METER RELOCATION FEE~~ Actual Relocation Cost, Not to Exceed Tap Fee
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS THAT AN EXISTING METER BE RELOCATED.

RELOCATED METER TEST FEE \$25.00
THIS FEE WHICH SHOULD REFLECT THE UTILITY'S COST MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO-YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY. THE FEE MAY NOT EXCEED \$25.

STANDARD METER INSTALLATION FEE \$150.00
TO BE CHARGE WHEN UNMETERED SERVICE EXISTS ON THE SYSTEM THAT SHOULD BE METERED TO BE IN COMPLIANCE WITH THE UTILITY'S TARIFF BUT THE CONVERSION OF THE SERVICE WOULD NOT REQUIRE A FULL TAP AND ALL OF ITS COSTS. THIS FEE WILL BE A SHARING OF COSTS BETWEEN THE CUSTOMER AND THE UTILITY. THE CUSTOMER MAY HAVE THE OPTION OF PAYING THE FEE OVER NO MORE THAN THREE (3) MONTHS.

RECONNECTION FEE
THE RECONNECT FEE MUST BE PAID BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS (OR OTHER REASONS LISTED UNDER SECTION 2.0 OF THIS TARIFF):

- a) Non payment of bill (Maximum \$25.00) \$25.00
- b) Customer's request that service be disconnected \$45.00

SEASONAL RECONNECTION FEE
BASE RATE FOR METER SIZE TIMES NUMBER OF MONTHS OFF SYSTEM NOT TO EXCEED SIX MONTHS WHEN LEAVE AND RETURN WITHIN A TWELVE MONTH PERIOD.

TRANSFER FEE \$45.00
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) 10%
TCEQ RULES ALLOW A ONE-TIME PENALTY TO BE CHARGED ON DELINQUENT BILLS. A LATE CHARGE MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE \$25.00
RETURNED CHECK CHARGES MUST BE BASED ON THE UTILITY'S DOCUMENTABLE COST.

CUSTOMER DEPOSIT RESIDENTIAL (Maximum \$50) \$50.00

COMMERCIAL & NON-RESIDENTIAL DEPOSIT ... 1/6TH OF ESTIMATED ANNUAL BILL

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SECTION 1.0 -- RATE SCHEDULE (Continued)

~~CUSTOMER SERVICE INSPECTION FEE.....~~ \$75.00

SERVICE APPLICANTS ARE FREE TO HAVE CUSTOMER SERVICE INSPECTIONS REQUIRED BY TCEQ RULE 290.46(J) PERFORMED BY ANY STATE-LICENSED INSPECTOR OF THEIR CHOICE. THEY ARE ENCOURAGED TO USE A THIRD PARTY INSPECTOR AND NOT AN EMPLOYEE OF THE UTILITY. HOWEVER, IF THEY REQUEST THE UTILITY TO PERFORM THE INSPECTION AND THE UTILITY HAS AN APPROVED INSPECTOR AVAILABLE; IT WILL BE DONE AT A MARKET PRICE. SINCE THIS IS NOT A NORMAL FUNCTION OF PUBLIC WATER UTILITY SERVICE, PERFORMING CUSTOMER SERVICE INSPECTIONS MUST TAKE LOWER PRIORITY TO FULFILLING UTILITY SERVICE RESPONSIBILITIES UNDER THE TCEQ'S CHAPTER 290 AND 291 RULES.

LOCK REMOVAL OR DAMAGE FEE..... \$10.00

THIS FEE SHALL BE ACCESSED TO THE ACCOUNT HOLDER OF ANY DELINQUENT ACCOUNT THAT HAS BEEN TERMINATED FOR NON-PAYMENT BY LOCKING THE METER AND THE LOCK HAS SUBSEQUENTLY BEEN REMOVED OR DAMAGED WITHOUT AUTHORIZATION BY THE UTILITY IN ORDER TO RESTORE WATER SERVICE TO THE ACCOUNT HOLDER'S ORIGINAL PLACE OF SERVICE. THIS FEE SHALL NOT BE CHARGED IF THE DAMAGED METER FEE IS CHARGED.

DAMAGED METER AND APPURTENANCES FEE Actual cost

THIS FEE SHALL BE ACCESSED TO THE ACCOUNT HOLDER OF ANY DELINQUENT ACCOUNT THAT HAS BEEN TERMINATED FOR NON-PAYMENT BY LOCKING THE METER AND/OR METER APPURTENANCES SUCH AS AN AMR UNIT OR THE CURB STOP HAVE BEEN DAMAGED IN ORDER TO RESTORE WATER SERVICE TO THE ACCOUNT HOLDER'S ORIGINAL PLACE OF SERVICE REQUIRING THE UTILITY TO REPLACE OR REPAIR THEM. THE ACCOUNT HOLDER SHALL BE CHARGED THE FULL COST OF REPAIRING AND/OR REPLACING ALL DAMAGED PARTS, INCLUDING LABOR AND VEHICLE COSTS. THIS WILL INCLUDE REPLACEMENT OF METERS THAT HAVE HAD THEIR LOCKING EYES BROKEN OFF THE FLANGES.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE:

WHEN AUTHORIZED IN WRITING BY TCEQ AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [30 TAC 291.21(K)(2)]

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 3.0--EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES WHEN NEW CONSTRUCTION IS NECESSARY TO PROVIDE SERVICE.

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SECTION 1.0 -- RATE SCHEDULE (Continued)

~~TEMPORARY WATER RATE:~~

Unless otherwise superseded by TCEQ order or rule, if the Utility is ordered by a court or governmental body of competent jurisdiction to reduce its pumpage, production or water sales, the Utility shall be authorized to increase its approved gallonage charge according to the formula:

$$TGC = cgc + \frac{(pr)(cgc)(r)}{(1.0-r)}$$

Where:

- TGC = temporary gallonage charge
- cgc = current gallonage charge
- r = water use reduction expressed as a decimal fraction (the pumping restriction)
- pr = percentage of revenues to be recovered expressed as a decimal fraction, for this tariff pr shall equal 0.5.

To implement the Temporary Water Rate, the utility must comply with all notice and other requirements of 30 T.A.C. 291.21(I).

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE:

Changes in fees imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through to only the water system(s) affected by the increase or fee as an adjustment to the water gallonage charge according to the following formula:

$$AG = G + B/(1-L), \text{ where}$$

- AG = adjusted gallonage charge, rounded to the nearest one cent;
- G = approved gallonage charge (per 1,000 gallons);
- B = change in purchased water/district gallonage charge (per 1,000 gallons);
- L = system average line loss for preceding 12 months not to exceed 0.15

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SECTION 2.0 - SERVICE RULES AND REGULATIONS~~**Section 2.01 - Texas Commission on Environmental Quality Rules**~~

The utility will have the most current Texas Commission on Environmental Quality (TCEQ) Rules, Chapter 291, Water Rates, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or Commission approved changes to the Rules supersede any rules or requirements in this tariff.

Section 2.02 - Application for and Provision of Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff) and will be signed by the applicant before water service is provided by the utility. A separate application or contract will be made for each service location.

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within ten working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service. Notwithstanding any statement in this tariff to the contrary, the utility will serve each qualified applicant for service within the time limits prescribed in 30 TAC 291.85 (a)-(b) as that rule may be amended by the TCEQ.

Where service has previously been provided, service will be reconnected within three working days after the applicant has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers may be required to install a customer owned cut-off valve on the customer's side of the meter or connection.

Section 2.03 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the TCEQ Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant a complaint may be filed with the Commission.

SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONT.)**Section 2.04 - Customer Deposits**

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 of this tariff.

The utility will keep records of the deposit and credit interest in accordance with TCEQ Rules.

The utility will keep records of the deposit and credit interest in accordance with TCEQ Rules.

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit. - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

Section 2.05 - Meter Requirements, Readings, and Testing

All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers. One meter is required for each residential, commercial or industrial facility in accordance with the TCEQ Rules.

Service meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

Meter Tests. - The utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility. If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works

SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONT.)

Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test, and who made the test.

Section 2.06 - Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least 21 days from the date of issuance. The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance.

Payment for utility service is delinquent if full payment, including late fees and the regulatory assessment, is not received at the utility or the utility's authorized payment agency by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next work day after the due date.

A late penalty of \$5.00 will be charged on bills received after the due date. Customer payments post marked by the due date will not incur a late penalty. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide all information required by the TCEQ Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a telephone number (or numbers) which may be reached by a local call by customers. At the utility's option, a toll-free telephone number or the equivalent may be provided.

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the Commission.

Section 2.07 - Service Disconnection

Utility service may be disconnected if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least 10 days after the notice is mailed or hand delivered.

SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONT.)

The utility is encouraged to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 31 days from the date of issuance of a bill and if proper notice of termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the TCEQ Rules.

Section 2.08 - Reconnection of Service

Utility service may also be disconnected without notice for reasons as described in the TCEQ Rules.

Utility personnel must be available to collect payments and to reconnect service on the day of and the day after any disconnection of service unless service was disconnected at the customer's request or due to a hazardous condition.

Service will be reconnected within 36 hours after the past due bill and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected.

Section 2.09 - Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

Prorated Bills. - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.10 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by the Commission, the utility will maintain facilities as described in the TCEQ Rules or in the TCEQ's "Rules and Regulations for Public Water Systems."

SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONT.)

Section 2.11 - Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation.

If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the TCEQ complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

This section contains specific utility service rules in addition to the rules previously listed under Section 2.0. It must be reviewed and approved by the Commission and in compliance with TCEQ Rules to be effective.

The utility adopts the administrative rules of the TCEQ, as the same may be amended from time to time, as its company specific service rules and regulations. These rules will be kept on file at the company's offices for customer inspection during regular business hours. In the event of a conflict between the TCEQ's amended rules and the provisions of this tariff, the amended rules shall prevail. Where necessary, any conflicting provision of this tariff shall be deemed to have been superseded by the TCEQ rule in question to the degree that the utility may conduct its lawful business in conformance with all requirements of said rule.

All payments for utility service shall be delivered or mailed to the utility's business office. If the business office fails to receive payment prior to the time of noticed disconnection for non-payment of a delinquent account, service will be terminated as scheduled. Utility service crews shall not be allowed to collect payments on customer accounts in the field.

Payment of an account by any means that has been dishonored and returned by the payor or payee's bank, shall be deemed to be delinquent. All returned payments must be redeemed with cash or valid money order. If a customer has two returned payments within a twelve month period, the customer shall be required to pay a deposit if one has not already been paid.

Customers shall not be allowed to use the utility's cutoff valve on the utility's side of the meter. Existing customers may install cutoff valves on their side of the meter and are encouraged to do so. All new customers must install customer-owned and maintained cutoff valves on their side of the meter.

No water connection from any public drinking water supply system shall be made to any establishment where an actual or potential contamination or system hazard exists without an air gap separation between the drinking water supply and the source of potential contamination. The containment air gap is sometimes impractical and, instead, reliance must be placed on individual "internal" air gaps or mechanical backflow prevention devices.

Under these conditions, additional protection shall be required at the meter in the form of a backflow prevention device (in accordance with AWWA Standards C510 and C511, and AWWA Manual M14) on those establishments handling substances deleterious or hazardous to the public health. The water purveyor need not require backflow protection at the water service entrance if an adequate cross-connection control program is in effect that includes an annual inspection and testing by a certified backflow prevention device tester. It will be the responsibility of the water purveyor to ensure that these requirements are met.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)

~~Customer shall be liable for any damage or injury to utility-owned property or personnel shown to be caused by the customer, his invitees, his agents, his employees, or others directly under his control.~~

Limitation on Product/Service Liability. - Public water utilities are required to deliver water to the customer's side of the meter or service connection that meets the potability and pressure standards of the TCEQ. The utility will not accept liability for any injury or damage to individuals or their property occurring on the customer's side of the meter when the water delivered meets these state standards. The utility makes no representations or warranties (expressed or implied) that customer's appliances will not be damaged by disruptions of or fluctuations in water service whatever the cause. The utility will not accept liability for injuries or damages to persons or property due to disruption of water service caused by: (1) acts of God, (2) acts of third parties not subject to the control of the utility if the utility has undertaken such preventive measures as are required by TCEQ rules, (3) electrical power failures in water systems not required by TCEQ rule to have auxiliary power supplies, or (4) termination of water service pursuant to the utility's tariff and the TCEQ's rules. The utility is not required by law and does not provide fire prevention or fire fighting services. The utility therefore does not accept liability for fire-related injuries or damages to persons or property caused or aggravated by the availability (or lack thereof) of water or water pressure (or lack thereof) during fire emergencies. The utility will accept liability for any injury or damage to individuals or their property directly caused by defective utility plant (leaking water lines or meters) or the repairs to or construction of the utility's facilities.

If the services of a registered professional engineer are required as a result of an application for service received by the utility for service to that applicant's service extension only, such engineer will be selected by the utility and the applicant, and the applicant shall bear all expenses incurred therein.

If an applicant requires service other than the standard service provided by the utility, such applicant will be required to pay all expenses incurred by the utility in excess of the expenses that would be incurred in providing the standard service and connection. Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction (as may be allowed by TCEQ rule) for the actual costs of, any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping storage and transmission.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)

Any applicant or existing customer required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be entitled to a written explanation of such costs prior to payment and/or commencement of construction. If the applicant or existing customer does not believe that these costs are reasonable or necessary, the applicant or existing customer shall have the right to appeal such costs to the TCEQ or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's or existing customer's property(ies) is located.

Tap fees may be increased by unique costs not normally incurred as may be permitted by 30 TAC 291.86(a)(1)(C).

The utility adopts the Uniform Plumbing Code pursuant to TCEQ Rule 290.46(I). The piping and other equipment on the premises furnished by the customer will be maintained by the customer at all times in conformity with the requirements of the TCEQ, the Uniform Plumbing Code and with the service rules and regulations of the utility. The customer will bring out his service line to his property line at the point on the customer's property mutually acceptable to the customer and the utility subject to such requirements as may exist by TCEQ rule. No water service smaller than 5/8" will be connected. No pipe or pipe fitting which contains more than 8.0% lead can be used for the installation or repair of plumbing at any connection which provides water for human use. No solder or flux which contains more than 0.2% lead can be used at any connection which provides water for human use.

The utility will have the right of access to the customer's premises at all times reasonable for the purpose of installing, testing, inspecting or repairing water mains or other equipment used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines, and for all other purposes necessary to the operation of the utility system including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow the utility and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Unless necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or the continued provision of adequate utility service to others, such entry upon the customer's property shall be during normal business hours. The customer may require any utility representative, employee, contractor, or agent seeking to make such entry identify themselves, their affiliation with the utility, and the purpose of their entry.

Threats to or assaults upon utility personnel shall result in criminal prosecution.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)

Except in cases where the customer has a contract with the utility for reserve or auxiliary service, no other water service will be used by the customer on the same installation in conjunction with the utility's service, either by means of a cross-over valve or any other connection. Customer shall not connect, or allow any other person or party to connect, onto any water lines on his premises. Two places shall not be permitted to be supplied with one service pipe where there is a water main abutting the premises.

No connection shall be allowed which allows water to be returned to the public drinking water supply. No backflow prevention device shall be permitted to be installed in the customer's plumbing without notice to and written permission from the utility. Any backflow prevention devices so installed shall be inspected annually by a licensed backflow prevention device inspector or appropriately licensed plumber and a written report of such inspection delivered to the utility.

No application, agreement or contract for service may be assigned or transferred without the written consent of the utility. It is agreed and understood that any and all meters, water lines and other equipment furnished by the utility (excepting the customer's individual service lines from the point of connection to customer's structures on customer's premises) are and shall remain the sole property of the utility, and nothing contained herein or in a contract/application for service shall be construed to reflect a sale or transfer of any such meters, lines or equipment to any customer. All tap and extension charges shall be for the privilege of connecting to said water lines and for installation, not purchase, of said meters and lines.

Applicants for service at new consuming facilities or facilities which have undergone extensive plumbing modifications are required to deliver to the utility a certificate that their facilities have been inspected by a state-licensed inspector and that they are in compliance with all applicable plumbing codes and are free of potential hazards to public health and safety. Service may be denied until the certificate is received or any identified violations or hazards are remedied. The utility is not required to perform these inspections for the applicant/customer, but will assist the applicant/customer to locate and obtain the services of a licensed inspector in a timely manner. When potential sources of contamination are identified which, in the opinion of the inspector or the utility, require the installation of a state-approved backflow prevention device, such back flow prevention device shall be installed on the customer's service line or other necessary plumbing facilities by an appropriately licensed plumber/back flow prevention device specialist at the customer's expense. The backflow prevention device shall be maintained by the customer at his expense and inspected annually by a licensed inspector. Copies of the annual inspection report must be provided to the utility. Failure to comply with this requirement may constitute grounds for termination of water service with notice.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)

All customers or service applicants shall provide access to meters and utility cutoff valves at all times reasonably necessary to conduct ordinary utility business and after normal business hours as needed to protect and preserve the integrity of the public drinking water supply. Access to meters and cutoff valves shall be controlled by the provisions of 30 TAC 291.89(c).

Where necessary to serve an applicant's property, the utility may require the applicant to provide it a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to that applicant.

Service applicants may be required to comply with any pre-condition to receiving service not printed herein as may exist under TCEQ rule (customer service, health and safety, water conservation, or environmental), USEPA rule, TWDB rule, local water or conservation district rule or health department rule. Existing customers shall be required to comply with such rules, including modification of their plumbing and/or consumption patterns, after notice.

Customers must make meters accessible to the Utility and its personnel. If they do not, the Utility may require the removal of the meter to another location according to Section 291.89(c) of the TCEQ's rules. The Utility will give the customer the option of converting to a remote radio read meter at the customer's expense in lieu of bearing the cost of relocating the meter and any Utility water lines necessitated by the customer's actions. If the customer does not accept this option, the customer will be charged for all incurred meter relocation costs. Before relocating the meter, the utility must provide the customer with written notice of its intent to do so.

This notice must include information on the estimated cost of relocating the meter, an explanation of the condition hindering access and what the customer can do to correct that condition, and information on how to contact the utility. The notice must give the customer a reasonable length of time to arrange for utility access so the customer may avoid incurring the relocation cost. A copy of the notice given to the customer shall be filed with the utility's records on the customer's account.

Customers shall not enclose meters with fences or other artificial barriers. If there is a fence in front of a meter, the customer shall install a gate or stile with 300 pound-load bearing capacity to enable meter readers and service crews to obtain ready access to the utility's property.

Lock removal or damage fee - This fee shall be assessed to the account holder of any delinquent account that has been terminated for non-payment by locking the meter and the lock has subsequently been removed or damaged without authorization by the utility in order to restore water service to the account holder's original place of service. This fee shall not be charged if the damaged meter fee is charged.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)

Damaged meter and appurtenances fee. - This fee shall be assessed to the account holder of any delinquent account that has been terminated for non-payment by locking the meter and meter or appurtenances such as the curb stop have been damaged requiring repair and/or replacement in an attempt to restore water service to the point of serve that was disconnected. The account holder shall be charged the full cost of repairing and/or replacing all damaged parts, including labor and vehicles. This will include replacement of meters that have had their locking eyes broken off the flanges.

Service applicants are free to have customer service inspections required by TCEQ Rule 290.46(j) by any state-licensed inspector of their choice.. They are encouraged to use a third party inspector and not an employee of the Utility. However, if they request the Utility to perform the inspection, it will be done at market prices. Since this is not a function of public water utility service, performing customer service inspections must take lower priority to fulfilling utility service responsibilities under the TCEQ's Chapter 290 and 291 rules.

SECTION 3.0 - EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

LINE EXTENSION AND CONSTRUCTION CHARGES. No contribution in aid of construction may be required of any customer except as provided for in this approved extension policy.

The customer will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The utility will bear the full cost of any oversizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

COST UTILITY SHALL BEAR. Within its certificate area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Developers may be required to provide contributions in aid of construction in amounts to furnish the system with all facilities necessary to comply with the TCEQ's Rules.

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY

This section contains the utility's specific extension policy that complies with the requirements already stated under Section 3.01. It must be reviewed and approved by the Commission and in compliance with TCEQ Rules to be effective.

Residential customers not covered under Section 3.01 will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the full cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or TCEQ minimum requirements. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

The utility adopts the administrative rules of the TCEQ, as amended from time to time, as its company specific extension policy. These rules will be kept on file at the company's business office for customer inspection during normal business hours. In the event of a conflict between the TCEQ's amended rules and the provisions of this tariff, the amended rules shall prevail. Where necessary, any conflicting provision of this tariff shall be deemed to have been superseded by the TCEQ rule in question to the degree that the utility may conduct its lawful business in conformance with all requirements of said rule.

When an individual residential applicant requires an extension of a main line beyond 200 feet, the charge to that applicant shall be the actual cost of such extension in excess of 200 feet, plus the applicable tap fee plus such other approved costs as may be provided in this tariff and/or TCEQ rules.

Residential tap fees may be increased by other unique costs not normally incurred as permitted by TCEQ rule. Larger meter taps shall be made at actual cost associated with that tap which shall include such extraordinary expenses.

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 30 TAC 291.86(d) and this tariff. When a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the cost of such extension, plus a pro-rata charge based upon the capacities of production, transmission, storage, pumping and treatment facilities, compliant with the TCEQ minimum design criteria, which must be committed to such extension. As provided by 30 T.A.C. 291.86(d)(4), for purposes of this section, commercial, industrial, and wholesale customers shall be treated as developers.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any additional facilities required to maintain compliance with the TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Unless expressly exempted by TCEQ rule or order, each point of use (as defined by 30 TAC 291.3) must be individually metered.

The imposition of additional extension costs or charges as provided by Sections 2.20 and 3.20 of this tariff shall be subject to appeal as provided in this tariff, TCEQ rules, or the rules of such other regulatory authority as may have jurisdiction over the utility's rates and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be entitled to a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe that these costs are reasonable or necessary, the applicant shall have the right to appeal such costs to the TCEQ or such other regulatory authority having jurisdiction over the utility's rates in that portion of the utility's service area in which the applicant's property(ies) is located. Unless the TCEQ or other regulatory authority enters interlocutory orders to the contrary, service to the applicant may be delayed until such appeal is resolved.

The Utility will provide a written service application form to the applicant for each request for service received by the utility's business offices. A separate application shall be required for each potential service location if more than one service connection is desired by any individual applicant. Service applications forms will be available for applicant pick up at the utility's business office during normal weekday business hours. Service applications will be sent by prepaid first class United States mail to the address provided by the applicant upon request. Completed applications should be returned by hand delivery in case there are questions which might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

The utility shall serve each qualified service applicant within its certificated service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by TCEQ rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If a service request cannot be fulfilled within the required period, the applicant shall be notified in writing of the delay, its cause and the anticipated date that service will be available. The TCEQ service dates shall not become applicable until the service applicant has met all conditions precedent to becoming a "qualified service applicant" as defined herein or by TCEQ rules.

The utility is not required to extend service to any applicant outside of its certificated service area and will only do so, at the utility's sole option, under terms and conditions mutually agreeable to the utility and the applicant and upon extension of the utility's certificated service area boundaries by the TCEQ. Service applicants may be required to bear the cost of the service area amendment.

A "qualified service applicant" is an applicant who has: (1) met all of the utility's requirements of service contained in this tariff, TCEQ rules and/or TCEQ order, (2) has made all payments for tap fees and extension charges, (3) has provided all necessary easements and rights-of-way necessary to provide service to the requested location, including staking said easements or rights-of-way where necessary, (4) delivered an executed customer service inspection certificate to the utility and (5) has executed a customer service application for each location to which service is being requested.

Where a new tap or service connection is required, the service applicant shall be required to submit a written service application and request that a tap be made. The tap request must be accompanied with a plat, map, diagram or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line. The actual point of connection and meter installation must be readily accessible to utility personnel for inspection, servicing and meter reading while being reasonably secure from damage by vehicles and mowers. If the utility has more than one main adjacent to the service applicant's property, the tap or service connection will be made to the utility's near service main with adequate capacity to service the applicant's full potential service demand. If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and the utility. If no agreement on location can be made, applicant may refer the matter to the TCEQ for resolution. Unless otherwise ordered by the TCEQ, the tap or service connection will not be made until the location dispute is resolved.

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

~~The utility shall require a developer (as defined by TCEQ rule) to provide permanent~~ recorded public utility easements as a condition of service to any location within the developer's property. The Developer shall be required to obtain all necessary easements and rights-of-way required to extend the utility's existing service facilities from their nearest point with adequate service capacity (as prescribed by TCEQ rules and local service conditions) to and throughout the Developer's property. The easements shall be sufficient to allow the construction, installation, repair, maintenance, testing, and replacement of any and all utility plant necessary to provide continuous and adequate service to each and every potential service location within the property at full occupancy. Unless otherwise restricted by law, well plant sites shall convey with unrestricted rights to produce water for public drinking water supply. Developers shall be required to provide sanitary control easements acceptable to the TCEQ for each water well site to be located within their property or otherwise being obtained to serve their property. Unless otherwise agreed to by the utility, pipe line right-of-way easements must be at least 15 feet wide to allow adequate room to facilitate backhoe and other heavy equipment operation and meters. Easements must be provided for all production, storage, treatment, pressurization and disposal sites which are sufficient to construct and maintain all weather roads as prescribed by TCEQ rules. All easements shall be evidenced, at Developer's expense, by recorded county-approved subdivision plat or by specific assignment supported by metes and bounds survey from a surveyor licensed by the State of Texas.

Prior to the extension of utility service to developers (as defined by TCEQ rules) or new subdivisions, the Developer shall comply with the following:

(a) The Developer shall make a written request for service to property that is to be subdivided and developed. The Developer shall submit to the utility a proposed plat on a scale of one inch (1") to two hundred feet (200') for review and determination of required easements, utility plant, and plant location. If sewer service is requested, the plat must contain elevation data. A reconcilable deposit in an amount set by the utility may be required to cover preliminary engineering, legal and copy cost to be incurred by the utility in reviewing and planning to meet this service request. The plat and/or accompanying information shall identify the type, location and number of houses and other planned structures that will be requiring utility service. If other than residential structures are to be located on the property, all other types of anticipated businesses and their service demands shall be identified with specificity. All areas requiring special irrigation and/or other unique water demands must be identified. To the extent reasonably possible, this information must be precise so that adequate facilities can be designed and constructed to meet all future service demands without hazard to the public, other utility customers and/or the environment.

(b) After the requirements of easements and rights-of-way have been determined, a red line copy will be returned by the utility to the Developer for final plat preparation.

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

(c) Copies of all proposed plats and plans must be submitted to the utility prior to their submission to the county for approval to insure that they are compatible with the adequate long-term utility needs of potential service customers. Copies will be returned after review by the utility so that necessary changes may be incorporated into the Developer's final submitted plat(s) and plans.

(d) The utility shall be provided with three (3) certified copies of the final plat(s) approved by the County Commissioners Court. At this time, the utility will begin engineering the facilities necessary to serve the property. Plans and specifications will be prepared and submitted to the TCEQ by the utility if required by law. If further plat or plans changes are necessary to accommodate the specific service needs of the property and the anticipated customer demands, the Developer will be so notified. Plat amendments must be obtained by the Developer. The Developer shall be notified when all required TCEQ or other governmental approvals or permits have been received. No construction of utility plant which requires prior TCEQ plans approval shall be commenced until that approval has been received by the utility and any conditions imposed by the TCEQ in association with its approvals have been satisfied.

(e) The Developer shall be required to post bond or escrow the funds necessary to construct all required utility plant, except individual taps, meters and sewer connections, required to serve the property. Construction shall not commence until funds are available. If the construction is to be done in coordination with the phased development of the property, funds must be provided in advance which are sufficient to complete each phase.

No phase or facilities for any phase shall be constructed prior to the bonding or escrowing of all funds associated with that phase

(f) At the sole option of the utility, the Developer may be required to execute a Developer Extension Contract setting forth all terms and conditions of extending service to their property including all contributions-in-aid of construction and developer reimbursements, if any.

(g) The utility may require the Developer to commence construction of subdivision improvements within three (3) months of utility plans approval or the utility may abate its construction activities until full development construction begins. If the Developer stops construction of subdivision improvements for any purpose, the utility may abate its construction for a similar period.

(h) As soon as the roads are rough cut and prior to paving, extension lines will need to be constructed at each road crossing. The Developer must notify the utility sufficiently in advance of this development stage to allow for the necessary utility construction without disruption to other service operations of the utility. Failure to provide adequate advance notice and cooperation in the construction of

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

~~necessary utility plant may result in additional delays in obtaining service to the property. The Developer shall be required to pay for all additional costs of road boring or other remedial construction necessary to install adequate utility plant throughout the affected property.~~

(i) The Developer, not the utility, shall insure that Developer's employees, agents, contractors and others under its control coordinate their work or construction throughout the property with the utility to insure the orderly and timely construction of all utility plant necessary to serve the public.

Within its certificated area, the utility shall bear the cost of the first 200 feet of any water main or sewer collection line necessary to extend service to an individual residential service applicant within a platted subdivision unless the utility can document:

(a) that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility; or,

(b) that the Developer defaulted on the terms and conditions of a written agreement or contract existing between the utility and the developer or the terms of this tariff regarding payment for services, extensions, or other requirements; or in the event the Developer declared bankruptcy and was therefore unable to meet obligations; and,

(c) that the residential service applicant purchased the property from the Developer after the Developer was notified of the need to provide facilities to the utility. A residential service applicant may be charged the remaining costs of extending service to his property; provided, however, that the residential service applicant may only be required to pay the cost equivalent to the cost of extending the nearest water main, whether or not that line has adequate capacity to serve that residential service applicant.

The following criteria shall be considered to determine the residential service applicant's cost for extending service:

(a) The residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution.

(b) Exceptions may be granted by the TCEQ Executive Director if:

(1) adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be the utility's burden to justify that a larger diameter pipe is required for adequate service;

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY (CONT.)

~~(2) larger minimum line sizes are required under subdivision~~
platting requirements or applicable building codes.

(c) If an exception is granted, the utility shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return the portion of the applicant's costs for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certificated area, industrial, and wholesale customers shall be treated as developers.

A service applicant requesting a one inch meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

SECTION 4.0 -- DROUGHT CONTINGENCY PLAN
(Utility must attach copy of TCEQ approved Drought Contingency Plan)

SEWER UTILITY TARIFF

SEWER UTILITY TARIFF FOR Southeast Region

Aqua-Texas, Inc.
(Utility Name)

1106 Clayton Lane, Suite 400W
(Business Address)

Austin, Texas 78723
(City, State, Zip Code)

(512) 990-4400
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate of Convenience and Necessity:

21065

This tariff is effective in the following Counties:

See Attached Table – Southeast Region

This tariff is effective in the following cities or unincorporated towns (if any):

City of Conroe, City of Houston, & City of Port Arthur

The rates set or approved by the city for the systems entirely within its corporate boundary are not presented in this tariff. Those rates are not under the original jurisdiction of the TCEQ and will have to be obtained from the city or utility. The rates charged within the City of Houston were established through a settlement agreement. Those rates will have to be obtained from the city or the utility.

This tariff is effective in the following subdivisions and public wastewater systems:

See Attached Table – Southeast Region

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