



Control Number: 49732



Item Number: 24

Addendum StartPage: 0

DOCKET NO. 49732

COMPLAINT OF PAUL HAWKINS  
AGAINST MONARCH UTILITIES I,  
L.P.

§  
§  
§

PUBLIC UTILITY COMMISSION  
OF TEXAS



**REPLY BRIEF OF  
MONARCH UTILITIES I, L.P.**

Monarch Utilities I, L.P. (Monarch) files this Reply Brief to Commission Staff's Brief on Effective Date Issues<sup>1</sup> in the above-referenced proceeding.

**I. EXECUTIVE SUMMARY**

1. The reference in Monarch's tariff to 16 Texas Administrative Code (TAC) § 24.21(h) is a reference to the rule as it existed at the time that Monarch filed its application to change rates on February 29, 2016. Because of an inadvertent scrivener's error, the citation to the rule was not updated to the new number of the intended rule provision, which had changed between the filing of the application and the filing of the parties' settlement agreement stipulation in June 2017. The scrivener's error should be corrected nunc pro tunc to correctly state the intention of the parties to the settlement agreement.

2. Commission Staff has reviewed and determined that the pass-through is appropriate to recover the charges on the effective date stated in the notice, March 1, 2019, in Docket No. 49242, *Application of Monarch Utilities I, L.P. for a Pass Through Gallonage Charge*.

3. Monarch's implementation of the Water Pass Through Gallonage Charge Adjustment (WPC) is consistent with the methods used and approved for cost recovery by electric and gas utilities.

<sup>1</sup> Commission Staff's Brief on Effective Date Issues (Mar. 26, 2020). (Commission Staff's Brief).

## II. ANALYSIS

- A. **The reference to 16 TAC § 24.21(h) was included at a time when that rule served the function of the current 16 TAC § 24.25(b)(2)(F), and the latter rule, therefore, should apply.**

Commission Staff summarizes this analysis in its brief:

Further, this citation in the tariff [16 TAC § 24.21(h)] should have been updated as the provisions of 16 TAC § 24.21(h) were moved to 16 TAC § 24.25(b)(2)(E) and then (F). Therefore, this provision should actually read “Implementation of this WPC adjustment provision shall be governed by 16 TAC § 24.25(b)(2)(F).”<sup>2</sup>

Monarch agrees with Commission Staff that the rule cited in the WPC provision should be 16 TAC § 24.25(b)(2)(F). The reference to 16 TAC § 24.21(h) remained in the tariff because of an inadvertent scrivener’s error. In other words, when preparing the tariff to be attached to the parties’ stipulation, the parties failed to update the citation to the rule provision intended by the parties.

Monarch filed its last application for a base rate change on February 29, 2016, in Docket No. 45570.<sup>3</sup> The WPC provision referencing 16 TAC § 24.21(h) was included in Schedule II-G-6 of Monarch’s proposed tariff in that application.<sup>4</sup> On the date the application was filed, February 29, 2016, 16 TAC § 24.21(h) read as follows:

Rule 24.21 – Form and Filing of Tariffs<sup>5</sup>  
(h) Purchased water or sewage treatment provision.  
(1) A utility that purchases water or sewage treatment may include a provision in its tariff to pass through to its customers changes in such costs. The provision must specify how it is calculated and affects customer billings.

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<sup>2</sup> Commission Staff’s Brief at 3.

<sup>3</sup> *Application of Monarch Utilities I, L.P. for Authority to Change Rates*, Docket No. 45570, Application of Monarch Utilities I, L.P. for Authority to Change Rates (Feb. 2, 2016).

<sup>4</sup> Docket No. 45570, Application of Monarch Utilities I, L.P. for Authority to Change Rates, Schedule II-G-6 at 955-976 (Feb. 2, 2016). Attached hereto as Attachment 1.

<sup>5</sup> See 40 Tex. Reg. 6080 (Sept. 11, 2015) (16 TAC § 24.21(h) final adopted); 41 Tex. Reg. 9318 (Nov. 25, 2016) (16 TAC § 24.21(h) replaced).

(2) This provision must be approved by the commission in a rate proceeding. A proposed change in the method of calculation of the provision must be approved in a rate proceeding.

(3) Once the provision is approved, any revision of a utility's billings to its customers to allow for the recovery of additional costs under the provision may be made only upon issuing notice as required by paragraph (4) of this subsection. The review of a proposed revision is an informal proceeding. Only the commission staff, or the utility may request a hearing on the proposed revision. The recovery of additional costs is defined as an increase in water use fees or in costs of purchased water or sewage treatment.

(4) A utility that wishes to revise utility billings to its customers pursuant to an approved purchased water or sewer treatment or water use fee provision to allow for the recovery of additional costs shall take the following actions prior to the beginning of the billing period in which the revision takes effect:

(A) submit a written notice to the commission; and

(B) e-mail (if the customer has agreed to receive communications electronically) or mail notice to the utility's customers. Notice may be in the form of a billing insert and must contain the effective date of the change, the present calculation of customer billings, the new calculation of customer billings, and the change in charges to the utility for purchased water or sewage treatment or water use fees. The notice must include the following language: "This tariff change is being implemented in accordance with the utility's approved (purchased water) (purchased sewer) (water use fee) adjustment clause to recognize (increases) (decreases) in the (water use fee) (cost of purchased) (water) (sewage treatment). The cost of these charges to customers will not exceed the (increased) (decreased) cost of (the water use fee) (purchased) (water) (sewage treatment)."

(5) Notice to the commission must include a copy of the notice sent to the customers, proof that the cost of purchased water or sewage treatment has changed by the stated amount, and the calculations and assumptions used to determine the new rates.

(6) Purchased water or sewage treatment provisions may not apply to contracts or transactions between affiliated interests.

This was the rule that was in effect at the time Monarch filed its application and that Monarch intended to have apply to its tariff upon Commission approval.

During the pendency of Monarch's application, the Commission's rules were revised; effective November 25, 2016.<sup>6</sup> Section 24.21(h) was amended to provide as follows:

(h) Effective date. The effective date of a tariff change is the date of approval by the regulatory authority, unless otherwise specified by the regulatory authority, in a commission order, or by rule. The effective date of a proposed rate increase under TWC § 13.187 or § 13.1871 is the proposed date on the notice to customers and the regulatory authority, unless suspended by the regulatory authority.

When Monarch's tariff was approved on August 21, 2017,<sup>7</sup> Section 24.21(h) had this very different meaning from the rule as it existed at the time Monarch's application was filed on February 29, 2016. As indicated above in the excerpt from Staff's brief, the correct section in the revised rules to reflect the intent of Section 24.21(h) in the old rules is 24.25(b)(2)(F), not Section 24.21(h) as revised in November 2016.

The fact that the citation in the tariff was not revised with the updated reference to the rule intended before approval was simply the result of a scrivener's error, not an intentional change to the new Section 24.21(h). Multiple parties (including Monarch, the Office of Public Utility Counsel, and Commission Staff) were reviewing the proposed tariff and should have caught this nuance. In their settlement, the parties neither agreed to change nor intended to change the pass-through provisions from those that were included in the tariff proposed by Monarch in its application. This is evidenced by the attached correspondence from Commission Staff on June 2, 2017—included as Attachment 2 herein—in which Commission Staff, based on the tariffs Monarch provided in its application, sent Monarch proposed versions that “incorporate

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<sup>6</sup> *PUC Rulemaking Proceeding to Amend Chapter 24 for Water/Sewer Pass Through Clauses and Surcharge Rules*, Docket No. 45112, Order Adopting Amendment to § 24.21 as Approved at the November 10, 2016 Open Meeting at 26-28 (Nov. 14, 2016).

<sup>7</sup> Docket No. 45570, Final Order at 10 (Aug. 21, 2017).

much of the content from the tariffs provided by Monarch.”<sup>8</sup> Because Commission Staff sent clean versions, Monarch did a redline comparison at the time to reflect the extent of Commission Staff’s changes to the tariffs Monarch proposed—a version of this redline comparison showing Commission Staff’s changes in redline is attached hereto as Attachment 3. As can be seen in these redlines, the citation to Section 24.21(h) in the pass-through clause was left untouched and therefore remained in reference to the rule as it stood on February 29, 2016, not the amended version that was in effect at the time Commission Staff sent the changes and when the application was ultimately approved.

Courts in Texas have long acknowledged that if a mistake is made by a scrivener or typist, an instrument may be reformed and modified to reflect the true agreement of the parties.<sup>9</sup> In such instances, the grounds for reformation are based on mutual mistake.<sup>10</sup> Not surprisingly, a mistake is considered mutual if both sides exercised control over the drafting and then either chose the wrong words to express the agreement or simply failed to represent the real agreement.<sup>11</sup>

The intent in the tariff was to reference the rule with specific language regarding implementation, thus producing a harmonious effect within the context. The intent was not, nor should the result be, to cite a rule that contradicts the immediately preceding sentence and renders the application of the entire clause uncertain. Both Monarch and Commission Staff

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<sup>8</sup> Email correspondence from Public Utility Commission Staff Attorney Erika Garcia, Public Utility Commission of Texas to William A. “Cody” Faulk, Attorney, Lloyd Gosselink Rochelle & Townsend, P.C. (Jun. 2, 2017) (Attachment 2).

<sup>9</sup> See *Simpson v. Curtis*, 351 S.W.3d 374 (Tex. App.—Tyler 2010); *Hatch v. Williams*, 110 S.W.3d 516 (Tex. App.—Waco 2003); *Henderson v. Henderson*, 694 S.W.2d 31 (Tex. App.—Corpus Christi 1985, writ ref’d n.r.e.).

<sup>10</sup> *Gail v. Berry*, 343 S.W.3d 520 (Tex. App.—Eastland 2011, review denied).

<sup>11</sup> See *Houston General Ins. Co. v. Lane Wood Industries, Inc.*, 571 S.W.2d 384 (Tex. Civ. App.—Fort Worth 1978); *Cornish v. Yarbrough*, 558 S.W.2d 28 (Tex. Civ. App.—Waco 1977); *Hill v. Brockman*, 351 S.W.2d 934 (Tex. Civ. App.—Fort Worth 1961).

reviewed the tariff after the rule changes took effect, and both sides simply failed to make the correction to represent the real agreement as to the tariff's application. Accordingly, the Commission should view the reference to 16 TAC § 24.21(h) as a scrivener's error and should modify the tariff to instead apply 16 TAC § 24.25(b)(2)(F) as intended.

**B. Commission Staff has expressly stated that it has reviewed the pass-through application and that it is appropriate to recover the charges pursuant to 16 TAC § 24.25 effective March 1, 2019.**

Commission Staff's briefing in this docket clearly laid out the intent to apply the implementation language of 16 TAC § 24.25(b)(2)(F) in Monarch's tariff. Furthermore, regarding Monarch's current pass-through application, Docket No. 49242, which is in part the basis of Mr. Hawkins' complaint, Commission Staff has expressly stated in Staff's Agreed Recommendation on Final Disposition, filed February 7, 2020, in that docket, "Monarch requested an effective date of March 1, 2019 and is currently charging the requested pass-through amount. *Staff reviewed this application and confirmed that the expenses to be recovered are appropriately recoverable through the pass-through mechanism allowed in 16 TAC § 24.25.*"<sup>12</sup> Ms. Loockerman is a veteran Commission Staff expert and has routinely reviewed such pass-through applications. Based on her memorandum, Commission Staff formally recommended "that Monarch's application to pass through to its customers purchased water and groundwater conservation district fees be approved, effective March 1, 2019."<sup>13</sup> Commission Staff in this docket should maintain a consistent position with that expressed in Docket No. 49242.

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<sup>12</sup> *Application of Monarch Utilities I, L P. for a Pass Through Gallonage Charge*, Docket No. 49242, Commission Staff's Agreed Recommendation on Final Disposition, Attachment A, Internal Memo from Debi Loockerman to Rashmin Asher at 4 (Feb. 7, 2020) (emphasis added). Attached hereto as Attachment 4.

<sup>13</sup> Docket No. 49242, Commission Staff's Agreed Recommendation on Final Disposition at 1 (Feb. 7, 2020).

**C. Monarch’s implementation of the WPC charge is consistent with the methods used and approved by electric and gas utilities for cost recovery.**

Electric and gas utilities deal with the same cost recovery issues as water utilities. Similarly, electric and gas utilities recover these costs through pass-through mechanisms approved as a part of a base rate and then adjusted on an interim basis to ensure compliance with the formula.

Section 36.203(f) of Public Utility Regulatory Act (PURA)<sup>14</sup> states that “[a] proceeding for adjustment of a fuel factor is not a rate case.”<sup>15</sup> The court in *Entergy v. Public Utility Commission* noted that “[a] fuel reconciliation, as distinguished from a base rate case, is an interim ‘true-up’ proceeding, where the Commission periodically adjusts an electric utility’s fuel factor to correct for the variance between the anticipated fuel costs and fuel costs actually incurred.”<sup>16</sup> Section 36.305 of PURA provides that “[p]urchased electricity costs may be recovered (1) concurrently with the effective date of the changed costs to the purchasing electric utility; or (2) as soon after the effective date as reasonably practical.”<sup>17</sup>

The court in *Texas Coast Utilities Coalition v. Railroad Commission of Texas* noted that “[a] PGA tariff is a common component of a rate schedule that provides for automatic adjustments in customer charges based on fluctuations in a utility’s cost to purchase the gas it distributes.”<sup>18</sup> And in *CenterPoint Energy Entex v. Railroad Commission of Texas*, the court held that “when a PGA clause is approved, the power to review past purchases and order refunds

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<sup>14</sup> PURA, Tex. Util. Code Ann. §§ 11.001-66.016 (West 2007 & Supp. 2016).

<sup>15</sup> PURA § 36.203(f).

<sup>16</sup> *Entergy Gulf States, Inc. v. Public Utility Com’n of Texas*, 173 S.W.3d 199 (Tex. App.—Austin 2005).

<sup>17</sup> PURA § 36.205.

<sup>18</sup> *Texas Coast Utilities Coalition v. R.R. Com’n of Tex.*, 423 S.W.3d 355 (Tex. 2014) (citing *Centerpoint Energy Entex v. R.R. Com’n of Tex.*, 208 S.W.3d 608, 612 (Tex. App.—Austin 2006, pet. dismiss’d)) (“describing PGA tariffs as ‘an automatic escalator mechanism devised by utility regulators to deal with rapid fluctuations in the cost of natural gas[, which] operates to increase or decrease the revenue of the gas company by exactly the amount of its increased or decreased costs of gas charged the gas company by its suppliers.’”).



is necessary to ensure compliance with the approved rate”<sup>19</sup> and that “[a] customer charge determined by the application of a PGA clause cannot be declared reasonable or just until after it has been implemented . . . only through retrospective analysis.”<sup>20</sup>

Ms. Lookerman’s memo in Docket No. 49242, after confirming the expenses are appropriately recoverable through the WPC, further states, “Monarch’s tariff requires a true-up report which will adjust the WPC. The true-up report is required to show the annual and accumulated difference between WPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the WPC.”<sup>21</sup> Ms. Lookerman describes a true-up report that is identical in purpose to the “true-up proceeding” and “retrospective analysis” identified above for electric and gas utilities, respectively. Notably, electric and gas utilities have authority to charge customers “concurrently” with increased costs to the utility, or through “automatic adjustments” prior to the outcome of these proceedings. It is only after implementation that the regulatory authority reviews these adjustments and ensures compliance by issuing refunds or surcharges as necessary.

Stated a different way, up-front approval is unnecessary before these adjustments become effective. The regulating commission retroactively declares the reasonableness after implementation; it does not suspend implementation for approval of each interim increase in costs. Water utilities, specifically Monarch, have the same economic and financial pressures from cost recovery as electric and gas utilities. Therefore, it is both logical and necessary to govern the implementation of Monarch’s WPC in the same retrospective manner as these

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<sup>19</sup> *Centerpoint Energy Entex v. R.R. Com’n of Tex.*, 208 S.W.3d 608, 620 (Tex. App.—Austin 2006, pet. dismiss’d).

<sup>20</sup> *Id.* at 623.

<sup>21</sup> *See* Attachment 4 at 1.

utilities. That is what the parties intended when they settled Monarch's rate case in Docket No. 45570.

### III. CONCLUSION

Based on the arguments presented, the Commission should find that Monarch complied with its tariff language and the requirements of 16 TAC § 24.25. Monarch respectfully requests that the Commission find that Monarch was authorized to charge the WPC fee on the proposed effective date, March 1, 2019, and dismiss Mr. Hawkins' complaint.

Respectfully submitted,

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ATTORNEYS FOR MONARCH UTILITIES I,  
L.P.

**CERTIFICATE OF SERVICE**

I certify that, unless otherwise ordered by the presiding officer, notice of the filing of this document was provided to all parties of record via electronic mail on April 3, 2020, in accordance with the Order Suspending Rules, issued in Project No. 50664.

/s/ William A. Faulk, III

\_\_\_\_\_  
WILLIAM A. FAULK, III

**Monarch Utilities I, L.P.**

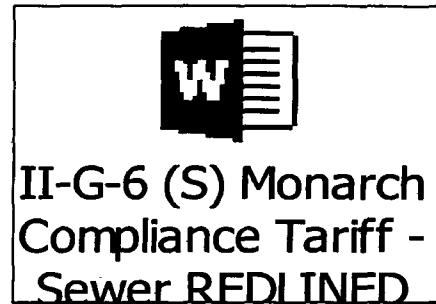
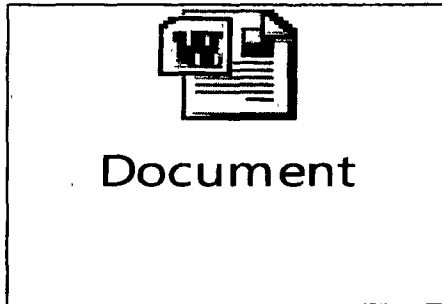
Docket No. 45570

Test Year Ending 6/30/2015

Schedule II-G-6 Tariff

Witness: George Freitag

Please see the proposed water and wastewater tariffs on the following pages.



**WATER UTILITY TARIFF  
FOR**

Field Code Changed

Monarch Utilities I, L.P.  
(Utility Name)

12535 Reed Road  
(Business Address)

Sugarland, Texas 77478-2837  
(City, State, Zip Code)

(866) 654-7992  
(Area Code/Telephone)

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

12983

This tariff is effective in the following county (ies):

Bandera, Brazoria, Chambers, Denton, Grayson, Hays, Henderson, Hood, Johnson, Liberty, Marion, Matagorda, Medina, Montgomery, Parker, Polk, San Jacinto, Smith, Tarrant, Trinity, Van Zandt, Wise, Wood

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

This tariff is only effective in the portions of the subdivisions and public water systems in the environs, except for the cities of Aurora and Coffee City that have surrendered rate jurisdiction.

This tariff is effective in the following subdivisions and public water system(s):

See attached list.

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

**TABLE OF CONTENTS**

SECTION 1.0 - RATE SCHEDULE ..... 6

SECTION 2.0 - SERVICE RULES AND POLICIES ..... 11

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS..... 17

SECTION 3.0 - EXTENSION POLICY ..... 21

SECTION 3.20 - SPECIFIC EXTENSION POLICY ..... 22

SECTION 4.0 - DROUGHT CONTINGENCY PLAN ..... 28

APPENDIX A - CONTRACT/APPLICATION FOR UTILITY SERVICE

APPENDIX B - AGREEMENT FOR TEMPORARY WATER SERVICE

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Bandera	Lake Medina Shores	0100037	Lakeshore Beach, Wharton Dock, Lake Medina Shores, Lake Point
Brazoria	Holiday Shores	0200029	Holiday Shores
Chambers	Tower Terrace	0360069	Houston Raceway Park, West Chambers County Estates, Tower Terrace
Denton	Denton Creek Estates	0610015	Denton Creek Estates, Aero Valley Airport
	Ponderosa Addition	06101075	Sunrise Circle Estates, Crescent Oaks Beach
	Stonecrest Estates	0610059	Estates, Ponderosa, Wild West Addition,
	Wynnwood Haven Estates	0610037	Stonecrest Estates, Wynnwood Haven, Estates, Snug Harbor
Grayson	Ridgecrest (Grayson)	0910035	Glen Eden, Hiland Shores, Lakeview, Little Mineral
	Rocky Point Estates	0910038	MHP, Millers Estates, Oak Estates, Preston Cove,
	Sherwood Shores	0910040	Preston Forest, Preston Oaks, Preston Point Bend, Ridgecrest, Van Antwerp
	Tanglewood-on- Texoma	0910052	Hanna Cove Estates, Rocky Point Estates "B", Rock Point "A", Hanna Ranchettes Cedar Mills Estates, Hillcrest Shores, Wright Acres, Sherwood Shores Angler's Estates, Cedar Oak Hills, Eagle Chase, Fairway Hollow, Greenway Bend, Lakecrest Village, Mill Creek Homesites, Oak Meadow Estates, Paradise Cove, Russwood-on-the-Lake, Simmons Shores, Sunrise Circle, Tanglewood Hills, Tanglewood Resort, Cambridge Shores, Highport, Mill Creek Meadows

Hays	<b>Plum Creek</b>	1050028	Amberwood, Bootstring Farms, Branch View Addition, Buda Business Park, Casey-Kyle, Double R, Dove Hill Estates, Goforth Estates, Green Pastures, Interstate Business, Kyle Crossing-Home Depot, Park South, Pinafore Park, Rolling Hills Estates, South Buda Business Park, Two Way, Village at Buda, Indian Paintbrush River Oaks Ranch
	<b>River Oaks Ranch</b>	1050099	
Henderson	<b>Beachwood Estates</b>	1070069	Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Beachwood Estates, Oak Forest Estates, Pebble Beach, Seis Hombres, Spillview Acres, Three-Way View, Treasure Isle, Waterboard
	<b>Briarwood Harbor</b>	1070220	Briarwood Harbor
	<b>Carolynn Estates / Pinnacle Club</b>	1070106	Bluffview, Brushy Creek, Bushwacker Estates, Carolynn Estates, Enclave, Esquire Estates II, Green Acres, Hidden Hills Harbor, Hillside Acres, Lynn Creek Cove, Payne Springs Estates, Forest Glen, The Highlands at Cedar Creek Lake, Michael's Cove, Pinnacle Club
	<b>Cherokee Shores</b>	1070206	Allen Ranch, Carson Addition, Coleman Tract, La Martinique, Landmarck Passage, Manning Ranch, Robinson Tract (Country Estates), Taylor Tract, Waterfront Shores, Cherokee Shores
Henderson	<b>Highsaw</b>	1070124	Brierwood Bay, Coffee City*, Diamond Head Bay, Coffee Landing Addition, Fincastle Farms, Highsaw, Hillside Estates
	<b>Lollipop Landing</b>	1070039	Lollipop Landing
	<b>Westwood Beach</b>	1070085	Cooper Estates, Lakeway, Oak Trail Shores, Shiloh, Waterwood, Wildewood, Westwood Beach
Hood	<b>Acton ( Royal Oaks)</b>	1110055	Acton Royal Oaks
	<b>Comanche Cove</b>	1110060	Heritage Heights, Scenic

			View, Comanche Cove
	<b>Comanche Harbor</b>	1110022	Comanche Point, Island Village, Ports O'Call, Comanche Harbor
	<b>Granbury Acres</b>	1110109	377 Sunset Strip, Granbury Acres
	<b>Hideaway Bay Estates</b>	1110002	Hideaway Bay
	<b>Montego Bay Estates</b>	1110044	Montego Bay
	<b>Oak Trail Shores</b>	1110004	Lake Granbury Estates, Oak Trail Plaza, Oak Trail Shores, Arrowhead Shores, Lake Granbury Harbor
	<b>Rancho Brazos</b>	1110036	Rancho Brazos
	<b>Western Hills Harbor</b>	1110005	Western Hills Harbor, Whisperview Village, Kings Plaza
Johnson	<b>Crowley One Acre</b>	1260011	Blue Grass Estates, Crowley One Acre, Highcrest Estates, Skyline Ranch, Lakeside Estates, Lakeview Ranchettes
	<b>Falcon Crest Addition</b>	1260076	Falcon Crest Addition
	<b>Metroplex Homesteads</b>	1260074	Metroplex Homesteads, The Homesteads
	<b>Nolan River Estates</b>	1260099	Nolan River Estates
Johnson	<b>Ridgecrest Estates (Johnson)</b>	1260035	Misty Hollow, Ridgecrest
	<b>Southern Acres</b>	1260094	Southern Acres
	<b>Sundance Addition</b>	1260025	Space Acres North, Space Acres, X-Cell Ranch Estates, Sundance
	<b>Tex-Rides Fifth</b>	1260037	Tex-Rides Fifth
	<b>Triple H Estates</b>	1260116	Triple H Estates
	<b>Twin Creeks Addition</b>	1260038	Rolling Acres, North Hills Estates, Twin Creeks Addition
	<b>West Meadows</b>	1260063	West Meadows
	<b>West Park Village</b>	1260077	West Park Village
Liberty	<b>Raywood</b>	1460041	Raywood
Marion	<b>Indian Hills Harbor</b>	1580063	Indian Hills Harbor
	<b>Pine Harbor</b>	1580023	Pine Harbor
Matagorda	<b>Camelot Forest</b>	1610058	Camelot Forest
Medina	<b>Lake Medina Shores</b>	0100037	Holiday Villages of Medina, Lake Medina Shores



Montgomery	<b>Crystal Springs</b>	1700331	Crystal Springs
	<b>Decker Hills</b>	1700386	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing, Park Place
	<b>Hulon Lakes</b>	1700014	Hilltop Village, Woodcreek Valley, Hulon Lakes
	<b>Oak Woods</b>	1700454	Oak Woods
	<b>Serenity Woods</b>	1700483	Pine Loch, Serenity Woods
Parker	<b>Green Acres</b>	1840120	Green Acres, Robertson Village
	<b>Spanish Park Estates</b>	1840026	Spanish Park Estates
	<b>Western Lake Estates</b>	1840014	Cedar Ridge (Formerly Ruby Ridge), Brazos Ridge Estates, Western Lake Estates
	<b>Westview (Parker)</b>	1840105	Westview
Polk	<b>Chesswood</b>	1870088	Chesswood
	<b>Countrywood</b>	1870138	Country Wood
	<b>Garden Acres</b>	1870160	Garden Acres
	<b>Longhorn Valley</b>	1870152	Longhorn Valley
Polk	<b>Phillips Acres</b>	1870146	Phillips Acres
	<b>Pinwah Pines</b>	1870130	Pinwah Pines
San Jacinto	<b>Bluewater Cove</b>	2040059	Bluewater Cove
	<b>Cedar Valley</b>	2040045	Cedar Valley
	<b>Coldspring Terrace</b>	2040031	Coldspring Terrace
	<b>Governor's Point</b>	2040008	Governor's Point
	<b>Holiday Villages of Livingston</b>	2040067	Hidden Coves, Holiday Village of Livingston, Palmetto Point
	<b>Shepherd Hill Estates</b>	2040061	Shepherd Hills Estates, Shepherd Ranch Estates
Smith	<b>Lakeway Harbor</b>	2120064	Lakeway Harbor
	<b>Pine Trail Shores</b>	2120035	Pine Trail Shores
Tarrant	<b>Benbrook Hills</b>	2200313	Benbrook Hills
	<b>Markum Ranch Estates</b>	2200281	Markum Ranch Estates
	<b>Silver Saddle</b>	2200299	Silver Saddle
	<b>Westside Addition</b>	2200079	Gun Club, Cabot Estates, Willow Creek Additions, Westside
Trinity	<b>Harbor Point</b>	2280035	Harbor Point
Van Zandt	<b>Callender Lake</b>	2340007	Callender Lake, Hickory Hills
Wise	<b>Aurora Vista</b>	2490051	Aurora Vista*
Wood	<b>Holiday Villages of Fork</b>	2500058	Holiday Villages of Fork

\* This subdivision is within the corporate limits of a city that has surrendered utility rate jurisdiction.

Monarch Utilities I, L.P.

Water Tariff Page 6

**SECTION 1.0 - RATE SCHEDULE**

**Section 1.01 - Rates**

**Rates Effective January 1, 2014**

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallage Charge
5/8"	\$43.91	\$6.65 per 1,000 gallons from 0 to 2,000 gallons \$8.19 per 1,000 gallons from 2,001 to 10,000 gallons \$9.29 per 1,000 gallons from 10,001 to 20,000 gallons \$9.89 per 1,000 from 20,001 and thereafter
3/4"	\$65.87	
1"	\$109.78	
1-1/2"	\$219.55	
2"	\$351.28	
3"	\$658.65	
4"	\$1,097.75	
8"	\$3,512.80	

**Rates Effective January 1, 2015**

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallage Charge
5/8"	\$45.23	\$6.85 per 1,000 gallons from 0 to 2,000 \$8.44 per 1,000 gallons 2,001 to 10,000 \$9.57 per 1,000 gallons 10,001 to 20,000 \$10.19 per 1,000 20,001 and thereafter
3/4"	\$67.84	
1"	\$113.07	
1-1/2"	\$226.14	
2"	\$361.82	
3"	\$678.41	
4"	\$1,130.68	
8"	\$3,618.18	

**Phase I: Rates Effective April 4, 2016**

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallage Charge
5/8"	\$51.78	\$7.84 per 1,000 gallons from 0 to 2,000 gallons
3/4"	\$77.68	\$9.66 per 1,000 gallons from 2,001 to 10,000 gallons
1"	\$129.46	\$10.96 per 1,000 gallons from 10,001 to 20,000 gallons
1-1/2"	\$258.52	\$11.67 per 1,000 from 20,001 and thereafter
2"	\$414.27	

3"	\$776.75
4"	\$1,294.58
6"	\$2,589.17
8"	\$4,142.67

**Phase II: Rates Effective April 4, 2017**

<u>Meter Size</u>	<u>Monthly Minimum Charge (Includes 0 gallons)</u>	<u>Gallonage Charge</u>
5/8"	\$52.35	
3/4"	\$78.52	\$7.93 per 1,000 gallons from 0 to 2,000 gallons
1"	\$130.87	\$9.77 per 1,000 gallons from 2,001 to 10,000 gallons
1-1/2"	\$261.74	\$11.08 per 1,000 gallons from 10,001 to 20,000 gallons
2"	\$418.79	\$11.79 per 1,000 from 20,001 and thereafter
3"	\$785.23	
4"	\$1,308.71	
6"	\$2,617.43	
8"	\$4,187.89	

**Phase 3: Rates Effective April 4, 2018**

<u>Meter Size</u>	<u>Monthly Minimum Charge (Includes 0 gallons)</u>	<u>Gallonage Charge</u>
5/8"	\$52.92	
3/4"	\$79.38	\$8.02 per 1,000 gallons from 0 to 2,000 gallons
1"	\$132.30	\$9.88 per 1,000 gallons from 2,001 to 10,000 gallons
1-1/2"	\$264.60	\$11.20 per 1,000 gallons from 10,001 to 20,000 gallons
2"	\$423.36	\$11.92 per 1,000 from 20,001 and thereafter
3"	\$793.80	
4"	\$1,323.00	
6"	\$2,646.00	
8"	\$4,233.59	

REGULATORY ASSESSMENT .....1.0%  
PUC rules require the utility to collect a fee of one percent of the retail monthly bill.

FORM OF PAYMENT: THE UTILITY WILL ACCEPT THE FOLLOWING FORM(S) OF PAYMENT:

Cash  Check  Money Order  MasterCard  Visa  and Electronic Fund Transfer

The Utility may require exact change for payments and may refuse to accept payment made using more than \$1.00 in small coins. A written receipt will be given for cash payments. At the customer's option, any billing transaction or communication may be performed on the internet. This includes the utility sending paperless bills by email.

**SECTION 1.0 - RATE SCHEDULE (Cont.)**

**Section 1.02 - Miscellaneous Fees**

**TAP FEE ..... \$700.00**  
Tap fee is based on the average of the utility's actual cost for materials and labor for standard residential connection of 5/8" meter plus unique costs.

**TAP FEE (unique costs permitted by PUC rule) ..... Actual Cost**  
For example, a road bore for customers outside of subdivisions or residential areas.

**LARGE METER TAP FEE ..... Actual Cost**  
TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 5/8 " METERS.

**RECONNECTION FEE**  
THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill.....\$25.00
  - b) Customer's request .....\$50.00
- Or other reasons listed under section 2.0 of this tariff

**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..... 10% of the delinquent bill**  
A one-time penalty may be made on delinquent bills but may not be applied to any balance to which the penalty was applied in a previous billing.

**RETURNED CHECK CHARGE.....\$25.00**

**CUSTOMER DEPOSIT – RESIDENTIAL.....\$50.00**

**CUSTOMER DEPOSIT – NON-RESIDENTIAL .....1/6TH EST. ANNUAL BILL**

**METER TEST FEE (actual cost of testing the meter up to) .....\$25.00**  
This fee 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.

Monarch Utilities I, L.P.

Water Tariff Page 8

**SECTION 1.0 - RATE SCHEDULE (Cont.)**

**SEASONAL RECONNECTION FEE**

Base rate for meter size times number of months off the system not to exceed six months when leave and return within a twelve-month period.

**METER RELOCATION FEE** ..... Actual cost to relocate that meter  
This fee may be charged if a customer requests relocation of an existing meter.

**METER CONVERSION FEE** ..... Actual cost to convert that meter  
This fee may be charged if a customer requests change of size of an existing meter or change is required by material change in customer's service demand.

**LINE EXTENSION AND CONSTRUCTION CHARGES:**

Refer to Section 2.12 Specific Utility Service Rules and Section 3.02 Utility Specific Extension Policy for terms, conditions, and charges.

**GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:**

Increases in inspection fees and water testing costs imposed by state or federal law may be passed through as an adjustment to the monthly base rate charge under the terms and conditions of 30 TAC 291.21(k)(2) after notice to customers and upon written approval by the PUC.

**SUPPLEMENTAL EMERGENCY SERVICE FEE**

Applicable to nonresidential water service customers that require supplemental service over and above their existing water service from time to time. Usage to be determined by customer. The minimum diameter for supplemental service meter shall be 2 inches.

**MONTHLY SUPPLEMENTAL SERVICE RATE** ..... \$13.43  
Phase 1 \$15.27  
Phase 2 \$15.44  
Phase 3 \$15.60

per inch diameter of  
service connection pipemeter  
and usage is billed at highest tier

Monarch Utilities I, L.P.

Water Tariff Page 9

**SECTION 1.0 - RATE SCHEDULE (Cont.)****~~PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE—ALL WATER SUPPLY SUBJECT TO FEE:~~**

~~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 utility wide as an adjustment to the water gallonage charge according to the following formula:~~

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

**~~PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE—PORTION OF WATER SUPPLY SUBJECT TO FEE:~~**

~~Upon notice from a water supplier of either an increase or decrease in the cost of purchased water, the Utility shall provide notice to customers and the Commission of its intent to implement rates imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through Utility wide as an adjustment to the water gallonage charge according to the following formula:~~

- ~~Adjustment to the gallonage rate =  $AG = (CP/GB) \times 1,000$   
 Adjustment to the minimum bill =  $AMB = GMB \times AG$~~
- ~~CP =  $CP_1 - CP_0$  = change in cost of purchased water;  
 CP<sub>1</sub> = Cost of purchased water during the most recent 12 month period at the new rate;  
 CP<sub>0</sub> = Cost of purchased water during the most recent 12 month period at the previous rate;  
 GMB = Number of gallons in the minimum bill, divided by 1,000; and  
 GB = Number of gallons billed to customers in excess of the amount included in the monthly minimum bill for the 12 month period used above.~~

**WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTMENT:**

**CHANGES IN FEES IMPOSED BY ANY NON-AFFILIATED THIRD PARTY WATER SUPPLIER OR UNDERGROUND WATER DISTRICTS HAVING JURISDICTION OVER THE UTILITY SHALL BE CHARGED THROUGH THE WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTED ANNUALLY ACCORDING TO THE FOLLOWING TRUE-UP FORMULA INTENDED TO BALANCE REVENUE FROM THE CHARGE AGAINST ACTUAL PAYMENTS AND COLLECTIONS FROM THE PRIOR YEAR:**

**WPC =  $(E + (AP - AC)) / (ME \times AU)$  Where:**

WPC = Water Pass-Through Gallonage Charge per 1,000 gallons, rounded to the nearest cent  
E = Projected sum for upcoming 12 months of Purchase Water and District costs  
AP = Actual Payments by utility for prior 12 months for Purchase Water and District costs  
AC = Actual Collections by utility in prior 12 months from the previously approved water pass-through gallonage charge  
AP-AC= Difference between actual payments and actual collections from the previously approved water pass-through gallonage charge for the prior 12 months  
ME = Year End Meter Equivalents  
AU = Average Annual Usage per meter equivalent, in 1,000 gallons, from most recent rate case

The WPC must be trued up and adjusted every twelve months.

To implement, all notice requirements must be met. The utility may begin to charge the new filed WPC on the proposed effective date in the notice. Implementation of this WPC adjustment provision shall be governed by P.U.C. Subst. R. 24.21(h).

With each annual WPC adjustment, the utility must file a true-up report with the Commission that shows the calculation for the next 12-month WPC reflected in the notice. The report shall contain up to five years' worth of data, as available, showing the annual and accumulated difference between WPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the WPC. The report shall also show how the new WPC was calculated according to the adjustment formula above.



Monarch Utilities I, L.P.

Water Tariff Page 10

**SECTION 1.0 - RATE SCHEDULE (Cont.)****TEMPORARY WATER RATE:**

Unless otherwise superseded by PUC 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:

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

Where:

TGC = temporary gallonage charge;  
 cgc = current gallonage charge;  
 r = water use reduction expressed as a decimal fraction (the pumping restriction); and  
 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 TAC 291.21(l).

**METER TAMPERING, DAMAGE OR SERVICE DIVERSION PENALTY:**

One time penalty per occurrence for tampering with or damaging a water meter or any appurtenance thereto including locks and meter boxes or service diversion of one hundred dollars (\$100.00).

**FRANCHISE FEE PASS THROUGH CLAUSE:**

Charges a municipality makes for use of streets and alleys pursuant to Tax Code §182.025 or other applicable state law not to exceed 2% or the actual amount charged by the municipality shall be passed through utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\text{AG} = \text{G} + \text{B}, \text{ where,}$$

AG = adjusted gallonage charge, rounded to the nearest one cent;  
 G = approved gallonage charge (per 1,000 gallons); and  
 B = projected franchise fees payable (per 1,000 gallons).

# SEWER UTILITY TARIFF FOR

Monarch Utilities I, L.P.  
(Utility Name)

12535 Reed Rd.  
(Business Address)

Sugar Land, TX 77478-2837  
(City, State, Zip Code)

(866) 654-7992  
(Area Code/Telephone)

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

20899

This tariff is effective in the following counties:

Chambers, Grayson, Henderson, Medina, Montgomery, San Jacinto, Trinity, Wood

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

This tariff is only effective in the portions of the subdivisions or systems in the environs.

This tariff is effective in the following subdivisions or systems:

See Attached List

## 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 POLICIES .....	5
SECTION 2.12 -- SPECIFIC UTILITY SERVICE RULES AND REGULATIONS ....	9
SECTION 3.0 -- EXTENSION POLICY .....	15
SECTION 3.02 -- SPECIFIC EXTENSION POLICY .....	16

APPENDIX A -- CONTRACT/APPLICATION FOR UTILITY SERVICE

<b>COUNTY</b>	<b>UTILITY</b>	<b>SYSTEMS</b>
Chambers	<b>Tower Terrace</b>	Houston Raceway Park, Tower Terrace, West Chambers County Estates
Grayson	<b>Tanglewood-on Texoma</b>	Eagle Chase, Fairway Hollow, Greenway Bend, Highport, Sunrise Circle, Tanglewood Hills, Tanglewood Resort
Henderson	<b>Beachwood Estates</b>	Beachwood Estates, Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Oak Forest Estates, Pebble Beach, Seis Hombres, Three-Way View, Treasure Isle, Waterboard, Key Ranch Estates
	<b>Cherokee Shores</b>	Cherokee Shores, Deep Water Bay, Deer Island, Diamond Oaks, Glenn Road, Grandview Terrace, Moon Waters, Nee Toni Jo, Robinson Tract/Country Estates, Spillview Estates II, Taylor Tract, Timber Bay, Waterfront Shores, Wood Canyon Waters
	<b>Carolynn Estates</b>	Pinnacle Club
Medina	<b>Holiday Villages of Medina Lake</b>	Holiday Villages of Medina
Montgomery	<b>Decker Hills</b>	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing
San Jacinto	<b>Blue Water Cove</b>	Blue Water Cove
	<b>Holiday Villages of Lake Livingston</b>	Holiday Villages of Livingston, Somerset Shores
Trinity	<b>Harbor Point</b>	Harbor Point
Wood	<b>Lake Fork Estates</b>	Holiday Villages of Fork

## SECTION 1.0 - RATE SCHEDULE

**Section 1.01 - Rates****Phase I - Rates Effective January 1, 2014**

METER SIZE	MONTHLY MINIMUM RATE	GALLONAGE CHARGE
5/8"	\$65.83	\$2.31 per 1,000 gallons
3/4"	\$98.75	
1"	\$164.58	
1 1/2"	\$329.15	
2"	\$526.64	
3"	\$987.45	
4"	\$1,645.75	
6"	\$3,291.50	
8"	\$5,266.40	

**Phase II - Rates Effective January 1, 2015**

METER SIZE	MONTHLY MINIMUM RATE	GALLONAGE CHARGE
5/8"	\$67.80	\$2.38 per 1,000 gallons
3/4"	\$101.71	
1"	\$169.51	
1 1/2"	\$339.02	
2"	\$542.44	
3"	\$1,017.07	
4"	\$1,695.12	
6"	\$3,390.25	
8"	\$5,424.39	

**Phase 1: Rates Effective April 4, 2016**

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallage Charge (per 1,000 gallons)
5/8"	\$77.63	All gallons \$2.73
3/4"	\$116.45	
1"	\$194.08	
1 1/2"	\$388.16	
2"	\$621.05	
3"	\$1,164.47	
4"	\$1,940.78	
6"	\$3,881.56	

<u>8"</u>	<u>\$6,210.50</u>	
-----------	-------------------	--

**Phase 2: Rates Effective April 4, 2017**

<u>Meter Size</u>	<u>Monthly Minimum Charge (Includes 0 gallons)</u>	<u>Gallage Charge (per 1,000 gallons)</u>
<u>5/8"</u>	<u>\$82.43</u>	<u>All gallons \$2.89</u>
<u>3/4"</u>	<u>\$123.64</u>	
<u>1"</u>	<u>\$206.07</u>	
<u>1 1/2"</u>	<u>\$412.13</u>	
<u>2"</u>	<u>\$659.41</u>	
<u>3"</u>	<u>\$1,236.39</u>	
<u>4"</u>	<u>\$2,060.65</u>	
<u>6"</u>	<u>\$4,121.31</u>	
<u>8"</u>	<u>\$6,594.09</u>	

**Phase 3: Rates Effective April 4, 2018**

<u>Meter Size</u>	<u>Monthly Minimum Charge (Includes 0 gallons)</u>	<u>Gallage Charge (per 1,000 gallons)</u>
<u>5/8"</u>	<u>\$87.52</u>	<u>All gallons \$3.07</u>
<u>3/4"</u>	<u>\$131.28</u>	
<u>1"</u>	<u>\$218.79</u>	
<u>1 1/2"</u>	<u>\$437.59</u>	
<u>2"</u>	<u>\$700.14</u>	
<u>3"</u>	<u>\$1,312.76</u>	
<u>4"</u>	<u>\$2,187.93</u>	
<u>6"</u>	<u>\$4,375.86</u>	
<u>8"</u>	<u>\$7,001.38</u>	

Residential sewer service will be billed year round using that service connection's average winter water consumption during December, January and February. Single family residential service connections without a historic average will have an imputed average of 5,000 gallons until they have established an average. A new single family residential customer may request a true-up based on their first actual winter average for the months that an imputed average was applied. Such request must be made within 60 days of the billing date of the customer's first bill with their actual winter average. Multi-family residential service connections without a historic winter average will have an imputed average of 5,000 gallons per residential unit until they have established an average.

Non-residential service connections will be billed on actual monthly water consumption without the use of winter averaging.

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

Cash , Check , Money Order , MasterCard , Visa , Electronic Fund Transfer

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. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

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

**Section 1.02 – Miscellaneous Fees**

TAP FEE (Gravity sewer, street or easement installation)..... \$700.00

TAP FEE (Pressure sewer, non-rock installation)..... \$1,525.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION PLUS UNIQUE COSTS AS PERMITTED BY PUC RULE AT COST.

TAP FEE (Pressure sewer, rock installation)..... \$3,776.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION PLUS UNIQUE COSTS AS PERMITTED BY PUC RULE AT COST.

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

ACCOUNT SET UP FEE..... \$25.00  
 FEE TO SET UP ACCOUNT FOR NEW CUSTOMER APPLYING FOR SEWER SERVICE ONLY.

**RECONNECTION FEE**

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill (Maximum \$25.00)..... \$25.00
- b) Customer's request..... \$50.00  
 or other reasons listed under section 2.0 of this tariff.

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 ..... 10%  
 A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE..... \$25.00

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

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

**SERVICE RELOCATION FEE.....** Actual cost to relocate that service connection  
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING  
SERVICE CONNECTION.

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

**LINE EXTENSION AND CONSTRUCTION CHARGES:**  
REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.02 UTILITY  
SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES.

**GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:**  
INCREASE IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL  
LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE  
UNDER THE TERMS AND CONDITIONS OF 30 TAC 291.21(k)(2) AFTER NOTICE TO CUSTOMERS  
AND UPON WRITTEN APPROVAL BY THE PUC.

**DAMAGE OR SERVICE DIVERSION FEE.....** \$100.00  
ONE TIME PENALTY FOR TAMPERING WITH OR DAMAGING A SEWER SERVICE CONNECTION,  
OR ANY APPURTENANCE THERETO, INCLUDING PUMPS OR SERVICE DIVERSION.

**FRANCHISE FEE PASS THROUGH CLAUSE:**  
Charges a municipality makes for use of streets and alleys pursuant to tax code §182.025 or  
other applicable state law not to exceed 2% or the actual amount charged by the municipality  
shall be passed through utility-wide as an adjustment to the sewer gallonage charge according  
to the following formula:

$$AG = G + B$$

Where:  
AG = adjusted gallonage charge, rounded to the nearest one cent:  
G = approved gallonage charge (per 1,000 gallons) and  
B = projected franchise fees payable (per 1,000 gallons).

~~**PURCHASED SEWER PASS THROUGH CLAUSE:**  
Changes in fees imposed by any non-affiliated third party wholesale sewer service provider  
shall be passed through utility-wide as an adjustment to the sewer gallonage charge according  
to the following formula:~~

~~$$AG = G + B$$~~

~~Where:  
AG = adjusted gallonage charge, rounded to the nearest one cent:  
G = approved gallonage charge (per 1,000 gallons) and  
B = change in purchased sewer service gallonage charge (per 1,000 gallons).~~

**SEWER PASS-THROUGH GALLONAGE CHARGE ADJUSTMENT:**  
  
**CHANGES IN FEES IMPOSED BY ANY NON-AFFILIATED THIRD PARTY SEWAGE  
TREATMENT ENTITY SHALL BE CHARGED THROUGH THE SEWER PASS-THROUGH  
GALLONAGE CHARGE ADJUSTED ANNUALLY ACCORDING TO THE FOLLOWING TRUE-UP**

FORMULA INTENDED TO BALANCE REVENUE FROM THE CHARGE AGAINST ACTUAL PAYMENTS AND COLLECTIONS FROM THE PRIOR YEAR:

SPC = (E + (AP - AC)) / (ME x AU) Where:

SPC = Sewer Pass-Through Gallonage Charge per 1,000 gallons, rounded to the nearest cent

E = Projected sum for upcoming 12 months of Purchase Sewer costs

AP = Actual Payments by utility for prior 12 months for Purchase Sewer costs

AC = Actual Collections by utility in prior 12 months from the previously approved sewer pass-through gallonage charge

AP-AC= Difference between actual payments and actual collections from the previously approved sewer pass-through gallonage charge for the prior 12 months

ME = Year End Meter Equivalents

AU = Average Annual Usage per meter equivalent, in 1,000 gallons, from most recent rate case

The SPC must be trueed up and adjusted every twelve months.

To implement, all notice requirements must be met. The utility may begin to charge the new filed SPC on the proposed effective date in the notice. Implementation of this SPC adjustment provision shall be governed by P.U.C. Subst. R. 24.21(h).

With each annual SPC adjustment, the utility must file a true-up report with the Commission that shows the calculation for the next 12-month SPC reflected in the notice. The report shall contain up to five years' worth of data, as available, showing the annual and accumulated difference between SPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the SPC. The report shall also show how the new SPC was calculated according to the adjustment formula above.



Monarch Utilities I, LP

3176/10/4587218

Subject: 45570 Monarch Tariffs  
Date: 6/2/2017 4:44 PM  
From: "Garcia, Erika" <Erika.Garcia@puc.texas.gov>  
To: "cfaulk@lglawfirm.com" <cfaulk@lglawfirm.com>  
Cc: "Smullen, AJ" <AJ.Smullen@puc.texas.gov>

Hi Cody,

Attached are Staff's proposed tariffs for Monarch. These are clean versions drafted by Staff, but they incorporate much of the content from the tariffs provided by Monarch.

Let us know if you have questions or concerns.

Thank you,

**Erika Garcia** | Attorney, Legal Division  
Public Utility Commission of Texas  
1701 N. Congress Avenue | P.O. Box 13326 | Austin, TX 78711  
O: (512) 936-7290 | F: (512) 936-7268 | erika.garcia@puc.texas.gov



**WATER UTILITY TARIFF**  
**Docket Number: 45570**

Monarch Utilities I, L.P.  
(Utility Name)

12535 Reed Road  
(Business Address)

Sugar Land, Texas 77478-2837  
(City, State, Zip Code)

(866) 654-7992  
(Area Code/Telephone)

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

12983

This tariff is effective in the following counties:

Bandera, Brazoria, Chambers, Denton, Grayson, Harris, Hays, Henderson, Hood, Johnson, Liberty, Marion, Matagorda, Medina, Montgomery, Parker, Polk, San Jacinto, Smith, Tarrant, Trinity, Van Zandt, Wise, Wood

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

This tariff is only effective in the portions of the subdivisions and public water systems in the environs, except for the cities of Aurora and Coffee City that have surrendered rate jurisdiction.

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

See attached list.

**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 POLICIES .....	11
SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS.....	14
SECTION 3.0 – EXTENSION POLICY .....	18
SECTION 3.20 – SPECIFIC EXTENSION POLICY .....	19

APPENDIX A – DROUGHT CONTINGENCY PLAN

APPENDIX B – APPLICATION FOR SERVICE

APPENDIX C – AGREEMENT FOR TEMPORARY WATER SERVICE

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Bandera	Lake Medina Shores	0100037	Lakeshore Beach, Wharton Dock, Lake Medina Shores, Lake Point
Brazoria	Holiday Shores	0200029	Holiday Shores
Chambers	Tower Terrace	0360069	Houston Raceway Park, West Chambers County Estates, Tower Terrace
Denton	Denton Creek Estates	0610015	Denton Creek Estates, Aero Valley Airport
	Ponderosa Addition	06101075	
	Stonecrest Estates	0610059	Sunrise Circle Estates, Ponderosa, Wild West Addition, Stonecrest Estates, Wynnwood Haven, Estates, Snug Harbor
	Wynnwood Haven Estates	0610037	
	Ridgecrest (Grayson)	0910035	
Grayson	Rocky Point Estates	0910038	Glen Eden, Hiland Shores, Lakeview, Little Mineral MHP, Millers Estates, Oak Estates, Preston Cove, Preston Forest, Preston Oaks, Preston Point Bend, Ridgecrest, Van Antwerp Hanna Cove Estates, Rocky Point Estates "B", Rock Point "A", Hanna Ranchettes
	Sherwood Shores	0910040	
	Tanglewood-on- Texoma	0910052	
			Cedar Mills Estates, Hillcrest Shores, Wright Acres, Sherwood Shores Angler's Estates, Cedar Oak Hills, Eagle Chase, Fairway Hollow, Greenway Bend, Lakecrest Village, Mill Creek Homesites, Oak Meadow Estates, Paradise Cove, Russwood-on-the-Lake, Simmons Shores, Sunrise Circle, Tanglewood Hills, Tanglewood Resort, Cambridge Shores, Highport, Mill Creek Meadows

<b>COUNTY</b>	<b>WATER SYSTEMS</b>	<b>PWS ID NUMBER</b>	<b>SUBDIVISIONS</b>
Harris	<b>Harris County Mud 191</b>	1012362	Villas of Willowbrook
Hays	<b>Plum Creek</b>	1050028	Amberwood, Bootstring Farms, Branch View Addition, Buda Business Park, Casey-Kyle, Double R, Dove Hill Estates, Goforth Estates, Green Pastures, Interstate Business, Kyle Crossing-Home Depot, Park South, Pinafore Park, Rolling Hills Estates, South Buda Business Park, Two Way, Village at Buda, Indian Paintbrush, River Oaks Ranch
	<b>River Oaks Ranch</b>	1050099	
Henderson	<b>Beachwood Estates</b>	1070069	Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Beachwood Estates, Oak Forest Estates, Pebble Beach, Seis Hombres, Spillview Acres, Three-Way View, Treasure Isle, Waterboard
	<b>Briarwood Harbor</b>	1070220	Briarwood Harbor
	<b>Carolynn Estates / Pinnacle Club</b>	1070106	Bluffview, Brushy Creek, Bushwacker Estates, Carolynn Estates, Enclave, Esquire Estates II, Green Acres, Hidden Hills Harbor, Hillside Acres, Lynn Creek Cove, Payne Springs Estates, Forest Glen, The Highlands at Cedar Creek Lake, Michael's Cove, Pinnacle Club
	<b>Cherokee Shores</b>	1070206	Allen Ranch, Carson Addition, Coleman Tract, La Martinique, Landmarck Passage, Manning Ranch, Robinson Tract (Country Estates), Taylor Tract, Waterfront Shores, Cherokee Shores

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Henderson	Highsaw	1070124	Brierwood Bay, Coffee City*, Diamond Head Bay, Coffee Landing Addition, Fincastle Farms, Highsaw, Hillside Estates
	Lollipop Landing	1070039	Lollipop Landing
	Westwood Beach	1070085	Cooper Estates, Lakeway, Oak Trail Shores, Shiloh, Waterwood, Wildewood, Westwood Beach
Hood	Acton ( Royal Oaks)	1110055	Acton Royal Oaks
	Comanche Cove	1110060	Heritage Heights, Scenic View, Comanche Cove
	Comanche Harbor	1110022	Comanche Point, Island Village, Ports O'Call, Comanche Harbor
	Granbury Acres	1110109	377 Sunset Strip, Granbury Acres
	Hideaway Bay Estates	1110002	Hideaway Bay
	Montego Bay Estates	1110044	Montego Bay
	Oak Trail Shores	1110004	Lake Granbury Estates, Oak Trail Plaza, Oak Trail Shores, Arrowhead Shores, Lake Granbury Harbor
	Rancho Brazos	1110036	Rancho Brazos
	Western Hills Harbor	1110005	Western Hills Harbor, Whisperview Village, Kings Plaza
Johnson	Crowley One Acre	1260011	Blue Grass Estates, Crowley One Acre, Highcrest Estates, Skyline Ranch, Lakeside Estates, Lakeview Ranchettes
	Falcon Crest Addition	1260076	Falcon Crest Addition
	Metroplex Homesteads	1260074	Metroplex Homesteads, The Homesteads
	Nolan River Estates	1260099	Nolan River Estates

\*This subdivision is within the corporate limits of Coffee City who has surrendered utility rate jurisdiction.

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Johnson	Ridgecrest Estates (Johnson)	1260035	Misty Hollow, Ridgecrest
	Southern Acres	1260094	Southern Acres
	Sundance Addition	1260025	Space Acres North, Space Acres, X-Cell Ranch Estates, Sundance
	Tex-Rides Fifth	1260037	Tex-Rides Fifth
	Triple H Estates	1260116	Triple H Estates
	Twin Creeks Addition	1260038	Rolling Acres, North Hills Estates, Twin Creeks Addition
	West Meadows	1260063	West Meadows
	West Park Village	1260077	West Park Village
Liberty	Raywood	1460041	Raywood
Marion	Indian Hills Harbor	1580063	Indian Hills Harbor
	Pine Harbor	1580023	Pine Harbor
Matagorda	Camelot Forest	1610058	Camelot Forest
Medina	Lake Medina Shores	0100037	Holiday Villages of Medina, Lake Medina Shores
Montgomery	Crystal Springs	1700331	Crystal Springs
	Decker Hills	1700386	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing, Park Place
	Hulon Lakes	1700014	Hilltop Village, Woodcreek Valley, Hulon Lakes
	Oak Woods	1700454	Oak Woods
	Serenity Woods	1700483	Pine Loch, Serenity Woods
Parker	Green Acres	1840120	Green Acres, Robertson Village
	Spanish Park Estates	1840026	Spanish Park Estates
	Western Lake Estates	1840014	Cedar Ridge (Formerly Ruby Ridge), Brazos Ridge Estates, Western Lake Estates
	Westview (Parker)	1840105	Westview
Polk	Chesswood	1870088	Chesswood
	Countrywood	1870138	Country Wood
	Garden Acres	1870160	Garden Acres
	Longhorn Valley	1870152	Longhorn Valley
	Oak Terrace Estates	1870055	Oak Terrace Estates

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Polk	Phillips Acres	1870146	Phillips Acres
	Pinwah Pines	1870130	Pinwah Pines
San Jacinto	Bluewater Cove	2040059	Bluewater Cove
	Cedar Valley	2040045	Cedar Valley
	Coldspring Terrace	2040031	Coldspring Terrace
	Governor's Point	204008	Governor's Point
	Holiday Villages of Livingston	2040067	Hidden Coves, Holiday Village of Livingston, Palmetto Point
	Shepherd Hill Estates	2040061	Shepherd Hills Estates, Shepherd Ranch Estates
Smith	Lakeway Harbor	2120064	Lakeway Harbor
	Pine Trail Shores	2120035	Pine Trail Shores
Tarrant	Benbrook Hills	2200313	Benbrook Hills
	Markum Ranch Estates	2200281	Markum Ranch Estates
	Silver Saddle	2200299	Silver Saddle
	Westside Addition	2200079	Gun Club, Cabot Estates, Willow Creek Additions, Westside
Trinity	Harbor Point	2280035	Harbor Point
Van Zandt	Callender Lake	2340007	Callender Lake, Hickory Hills
Wise	Aurora Vista	2490051	Aurora Vista*
Wood	Holiday Villages of Fork	2500058	Holiday Villages of Fork

\* This subdivision is within the corporate limits of the City of Aurora who has surrendered utility rate jurisdiction.



SECTION 1.0 - RATE SCHEDULE

Section 1.01 – Rates

Rates Effective October 1, 2016

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallage Charge
5/8"	\$49.30	\$7.47 per 1,000 gallons from 0 to 2,000 gallons \$9.20 per 1,000 gallons from 2,001 to 10,000 gallons \$10.43 per 1,000 gallons from 10,001 to 20,000 gallons \$11.11 per 1,000 from 20,001 and thereafter
3/4"	\$73.95	
1"	\$123.25	
1½"	\$246.49	
2"	\$394.38	
3"	\$739.47	
4"	\$1,232.44	
6"	\$2,464.89	
8"	\$3,943.82	

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

FORM OF PAYMENT: The utility will accept the following forms of payment:  
 Cash , Check , Money Order , MasterCard , Visa , Electronic Fund Transfer   
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENT MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

Section 1.02 - Miscellaneous Fees

TAP FEE .....\$700.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" METER PLUS UNIQUE COSTS.

TAP FEE (unique costs permitted by PUC rule).....Actual Cost  
 FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

LARGE METER TAP FEE .....Actual Cost  
 TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 5/8 " METERS.

## SECTION 1.0 - RATE SCHEDULE (Continued)

**RECONNECTION FEE**

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill ..... \$25.00  
 b) Customer's request..... \$50.00  
 Or other reasons listed under section 2.0 of this tariff

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 ..... 10% of the delinquent bill

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE..... \$25.00

CUSTOMER DEPOSIT – RESIDENTIAL ..... \$50.00

CUSTOMER DEPOSIT – NON-RESIDENTIAL ..... 1/6TH EST. ANNUAL BILL

METER TEST FEE (actual cost of testing the meter up to) ..... \$25.00

THIS FEE 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.

**SEASONAL RECONNECTION FEE**

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

METER RELOCATION FEE ..... Actual cost to relocate that meter

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

METER CONVERSION FEE ..... Actual cost to convert that meter

THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS CHANGE OF SIZE OF AN EXISTING METER OR CHANGE IS REQUIRED BY MATERIAL CHANGE IN CUSTOMER'S SERVICE DEMAND.

**LINE EXTENSION AND CONSTRUCTION CHARGES:**

REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.02 UTILITY SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES.

**GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:**

INCREASES IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE UNDER THE TERMS AND CONDITIONS OF 16 TAC § 24.21(F) AFTER NOTICE TO CUSTOMERS AND UPON WRITTEN APPROVAL BY THE PUC.

**SUPPLEMENTAL EMERGENCY SERVICE FEE**

APPLICABLE TO NONRESIDENTIAL WATER SERVICE CUSTOMERS THAT REQUIRE SUPPLEMENTAL SERVICE OVER AND ABOVE THEIR EXISTING WATER SERVICE FROM TIME TO TIME. USAGE TO BE DETERMINED BY CUSTOMER. THE MINIMUM DIAMETER FOR SUPPLEMENTAL SERVICE METER SHALL BE 2 INCHES.

## SECTION 1.0 - RATE SCHEDULE (Continued)

MONTHLY SUPPLEMENTAL SERVICE RATE .....\$14.64  
 PER INCH DIAMETER OF SERVICE CONNECTION PIPE  
 AND USAGE IS BILLED AT HIGHEST TIER.

## WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTMENT:

CHANGES IN FEES IMPOSED BY ANY NON-AFFILIATED THIRD PARTY WATER SUPPLIER OR UNDERGROUND WATER DISTRICTS HAVING JURISDICTION OVER THE UTILITY SHALL BE CHARGED THROUGH THE WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTED ANNUALLY ACCORDING TO THE FOLLOWING TRUE-UP FORMULA INTENDED TO BALANCE REVENUE FROM THE CHARGE AGAINST ACTUAL PAYMENTS AND COLLECTIONS FROM THE PRIOR YEAR:

WPC =  $(E + (AP - AC)) / (ME \times AU)$  Where:

WPC = Water Pass-Through Gallonage Charge per 1,000 gallons, rounded to the nearest cent

E = Projected sum for upcoming 12 months of Purchase Water and District costs

AP = Actual Payments by utility for prior 12 months for Purchase Water and District costs

AC = Actual Collections by utility in prior 12 months from the previously approved water pass-through gallonage charge

AP-AC= Difference between actual payments and actual collections from the previously approved water pass-through gallonage charge for the prior 12 months

ME = Year End Meter Equivalents

AU = Average Annual Usage per meter equivalent, in 1,000 gallons, from most recent rate case

The WPC must be trued up and adjusted every twelve months.

To implement, all notice requirements must be met. The utility may begin to charge the new filed WPC on the proposed effective date in the notice. Implementation of this WPC adjustment provision shall be governed by TAC § 24.21(h).

With each annual WPC adjustment, the utility must file a true-up report with the Commission that shows the calculation for the next 12-month WPC reflected in the notice. The report shall contain up to five years' worth of data, as available, showing the annual and accumulated difference between WPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the WPC. The report shall also show how the new WPC was calculated according to the adjustment formula above.

## SECTION 1.0 - RATE SCHEDULE (Continued)

## TEMPORARY WATER RATE:

Unless otherwise superseded by PUC 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:

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

Where:

- TGC = temporary gallonage charge;  
 cgc = current gallonage charge;  
 r = water use reduction expressed as a decimal fraction (the pumping restriction); and  
 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 16 TAC § 24.21(j).

## METER TAMPERING, DAMAGE OR SERVICE DIVERSION PENALTY:

ONE TIME PENALTY PER OCCURRENCE FOR TAMPERING WITH OR DAMAGING A WATER METER OR ANY APPURTENANCE THERETO INCLUDING LOCKS AND METER BOXES OR SERVICE DIVERSION OF ONE HUNDRED DOLLARS (\$100.00).

## FRANCHISE FEE PASS THROUGH CLAUSE:

Charges a municipality makes for use of streets and alleys pursuant to Tax Code §182.025 or other applicable state law not to exceed 2% or the actual amount charged by the municipality shall be passed through utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$AG = G + B, \text{ where,}$$

AG = adjusted gallonage charge, rounded to the nearest one cent;  
 G = approved gallonage charge (per 1,000 gallons); and  
 B = projected franchise fees payable (per 1,000 gallons).

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge</u>
5/8"	\$8.24 (includes 2,000 gallons) Same for all meter sizes	\$4.12 per 1000 gallons from 2,001 and thereafter Same for all meter sizes

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash  Check  Money Order  MasterCard  Visa  Electronic Fund Transfer   
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENT MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

REGULATORY ASSESSMENT ..... 1.0%  
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETIAL MONTHLY BILL AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE ..... \$525.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" METER PLUS UNIQUE COSTS.

TAP FEE ..... \$2,000.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 1" METER PLUS UNIQUE COSTS.

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

LARGE METER TAP FEE ..... Actual Cost  
 TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 1" METERS.

METER TEST FEE (actual cost of testing the meter up to) ..... \$25.00  
 THIS FEE 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.

METER RELOCATION FEE ..... Actual cost to relocate that meter  
 THE FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

SECTION 1.0 -- RATE SCHEDULE (Cont.)

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill .....\$25.00
- b) Customer's request.....\$50.00

TRANSFER FEE .....\$30.00

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

LATE CHARGE ..... 10% of the delinquent bill

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE.....\$25.00

CUSTOMER DEPOSIT – RESIDENTIAL.....\$50.00

CUSTOMER DEPOSIT – NON-RESIDENTIAL..... 1/6TH EST. ANNUAL BILL

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.20 UTILITY SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS AND CHARGES.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:

INCREASES IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE UNDER THE TERMS AND CONDITIONS OF § 24.21(F) AFTER NOTICE TO CUSTOMERS AND UPON WRITTEN APPROVAL BY THE PUC.

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE – ALL WATER SUPPLY SUBJECT TO FEE:

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 utility-wide as an adjustment to the water gallonage charge according to the following formula:

- AG=  $G/(1-L)$ , where
- AG= adjusted gallonage charge, rounded to the nearest one cent:
- G = approved gallonage charge from the third party water supplier or district (per 1,000 gallons); and
- L = system average line loss for preceding 12 months not to exceed 0.15.

Monarch Utilities I, L.P.  
Villas at Willowbrook

## SECTION 1.0 -- RATE SCHEDULE (Cont.)

## PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE – PORTION OF WATER SUPPLY SUBJECT TO FEE:

Upon notice from a water supplier of either an increase or decrease in the cost of purchased water, the Utility shall provide notice to customers and the Commission of its intent to implement rates imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through Utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\begin{aligned} \text{Adjustment to the gallonage rate} &= \text{AG} = (\text{CP}/\text{GB}) \times 1,000 \\ \text{Adjustment to the minimum bill} &= \text{AMB} = \text{GMB} \times \text{AG} \end{aligned}$$

CP = CP1 – CP0 = change in cost of purchased water;  
CP1 = Cost of purchased water during the most recent 12 month period at the new rate;  
CP0 = Cost of purchased water during the most recent 12 month period at the previous rate;  
GMB = Number of gallons in the minimum bill, divided by 1,000; and  
GB = Number of gallons billed to customers in excess of the amount included in the monthly minimum bill for the 12 month period used above.

## TEMPORARY WATER RATE:

Unless otherwise superseded by PUC 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:

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

Where:

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

To implement the Temporary Water Rate, the Utility must comply with all notice and other requirements of 16 TAC § 24.21(j).

## FRANCHISE FEE PASS THROUGH CLAUSE:

Charges a municipality makes for use of streets and alleys pursuant to Tax Code §182.025 or other applicable state law not to exceed 2% or the actual amount charged by the municipality shall be passed through utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\text{AG} = \text{G} + \text{B}, \text{ where,}$$

AG = adjusted gallonage charge, rounded to the nearest one cent;  
G = approved gallonage charge (per 1,000 gallons); and  
B = projected franchise fees payable (per 1,000 gallons).

**Docket No. 45570**

Monarch Utilities I, L.P.  
Oak Terrace Estates  
(Formerly Romark Utility)

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>\$43.50</u> (Includes 0 gallons)	<u>\$3.00</u> per 1000 gallons
1"	<u>\$87.00</u>	

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash , Check , Money Order , Credit Card , Other (specify)  (Electronic Fund Transfer)  
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. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

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

Section 1.02 - Miscellaneous Fees

TAP FEE ..... \$450.00  
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.



Monarch Utilities I, L.P.  
Oak Terrace Estates  
(Formerly Romark Utility)

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.

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.

TRANSFER FEE ..... \$50.00  
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

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..... \$50.00

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) ..... 10%  
PUC 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

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE  
WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING. [16 TAC § 24.21(F)]

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.

## SECTION 2.0 - SERVICE RULES AND REGULATIONS

Section 2.01 – Rules

The Utility will have the most current Public Utility Commission of Texas (PUC or Commission) Chapter 24 Rules 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 5 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.

Where service has previously been provided, service will be reconnected within one working day 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 PUC 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 that a complaint may be filed with the Commission.

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 PUC 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 that 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.

## SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONTINUED)

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 residential customer who has paid 18 consecutive billings without being delinquent. Deposits from non-residential customers may be held as long as that customer takes service.

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 PUC 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 Association, the Utility will charge the customer a fee that 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 PUC. The due date of the bills for utility service will be at least sixteen (16) days from the date of issuance. If the customer is a state agency, the due date for the bill may not be less than 30 days after issuance, unless otherwise agreed to by the agency. 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. At the customer's option, bills may be sent in a paperless, electronic form by email. The date of the email will constitute 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 workday after the due date.

A late penalty of 10% of the delinquent bill will be charged on bills received after the due date. 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 PUC 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.

**Docket No. 45570**

## SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONTINUED)

In the event of a dispute between a customer and the 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.

The Utility may 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 has not been entered into within 30 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 PUC Rules.

Section 2.08 - Reconnection of Service

Utility service may also be disconnected without notice for reasons as described in the PUC 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 and Regulations for Public Water Systems.

**Docket No. 45570**

## SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

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 PUC 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.

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 PUC Rules to be effective.

The Utility adopts the administrative rules of the PUC, 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 PUC'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 PUC rule in question to the degree that the Utility may conduct its lawful business in conformance with all requirements of said rule.

All references in Utility's tariff, service contracts, or PUC rules shall mean the Utility's offices at 12535 Reed Road, Sugar Land, TX 77478. Customers may make payments, apply for service, and report service problems at the office. Use of the term "business office" shall refer to this office.

All payments for utility service shall be delivered or mailed to the Utility's business office. If the business office fails to receive payment before 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 a 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.

## SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONTINUED)

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.

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 PUC 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 PUC'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, the Utility and the applicant will select such engineer, 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 PUC 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.

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 before payment and/or commencement of construction.

## SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONTINUED)

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 PUC 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 16 TAC § 24.86(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 PUC 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 that 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.

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 crossover 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.

## SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONTINUED)

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 backflow prevention device shall be installed on the customer's service line or other necessary plumbing facilities by an appropriately licensed plumber/backflow 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.

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 16 TAC § 24.89(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."



## 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 before 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 UTILITIES 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 PUC 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 PUC, 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 PUC'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 PUC 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 PUC rules.

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

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 16 TAC § 24.86(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 16 TAC § 24.86(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.

## SECTION 3.20 – SPECIFIC UTILITY EXTENSION POLICY (CONTINUED)

Unless expressly exempted by PUC rule or order, each point of use (as defined by 16 TAC § 24.3) must be individually metered.

The imposition of additional extension costs or charges as provided by Sections 2.12 and 3.02 of this tariff shall be subject to appeal as provided in this tariff, PUC 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 before 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 PUC 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 PUC 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 any individual applicant desires one service connection. Service application 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 that might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

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 PUC 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 PUC 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 PUC 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 PUC. 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, PUC rules and/or PUC 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 is 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.

**Docket No. 45570**

## SECTION 3.20 – SPECIFIC UTILITY EXTENSION POLICY (CONTINUED)

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 PUC for resolution. Unless otherwise ordered by the PUC, the tap or service connection will not be made until the location dispute is resolved.

The Utility shall require a developer (as defined by PUC 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 that 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.

Before the extension of utility service to developers (as defined by PUC 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 (CONTINUED)

(c) Copies of all proposed plats and plans must be submitted to the Utility before 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 that 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 system extensions, except individual taps, meters, and water 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 before 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 Agreement 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 before 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 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.

## SECTION 3.20 – SPECIFIC UTILITY EXTENSION POLICY (CONTINUED)

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:

- (1) The residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution.
- (2) Exceptions may be granted by the PUC if:
  - (i) 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;
  - (ii) larger minimum line sizes are required under subdivision platting requirements or applicable building codes.
- (3) 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.

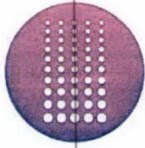
For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certificated area, industrial, and wholesale customers shall be treated as developers.

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

APPENDIX A -- DROUGHT CONTINGENCY PLAN

“This page incorporates by reference the utility’s Drought Contingency Plan, as approved and periodically amended by the Texas Commission on Environmental Quality.”



APPENDIX B – APPLICATION FOR SERVICE

# Monarch Utilities I, L.P.

A SouthWest Water Company

**Return Signed Application to:**

Mail: 12535 Reed Rd, Sugar Land, TX 77478

Fax: (832) 209-5395 Phone: (866) 654-7992

Email: [turnon@swwc.com](mailto:turnon@swwc.com)

**(We must receive second page with signature)**

**THIS APPLICATION MUST BE COMPLETED, SIGNED AND RETURNED TO MONARCH UTILITIES I, L.P. BEFORE SERVICE CAN BE ESTABLISHED. A TRANSFER FEE IN THE AMOUNT OF \$45 MAY BE ASSESSED IF APPLICABLE.**

## Monarch Utilities, I, L.P.

### CONTRACT/APPLICATION FOR UTILITY SERVICE

Service Address:

City:

State:

Zip Code:

Lot:

Block:

Section:

Mailing Address if different then above:

City:

State:

Zip Code:

Name of Applicant\*: \_\_\_\_\_ Authorized User: \_\_\_\_\_  
*This is the person or other entity in whose name service will be rendered and who will be responsible for all service and other bills.*

Are you  Buying or  Renting? (provide valid Lease Agreement) Purchase Settlement/Lease Date: \_\_\_/\_\_\_/\_\_\_

SSN Last 4 Digits: \_\_\_\_\_ Driver's License: \_\_\_\_\_ Date of Birth: \_\_\_/\_\_\_/\_\_\_

Start Date to Begin Service (MM/DD/YY): \_\_\_/\_\_\_/\_\_\_ Is the water currently on?  Yes  No

Type of service Water , Sewer , or Both  Residential , Commercial , Industrial , or Developer

Water Emergency Contact Preference (please check one): Home Phone:  Cell Phone:  Text:  E-mail:

Telephone(s): Home: (\_\_\_\_) \_\_\_\_\_ Day: (\_\_\_\_) \_\_\_\_\_ Cell: (\_\_\_\_) \_\_\_\_\_

Email address: \_\_\_\_\_

Have you ever been an Monarch Utilities I, L.P. customer?  Yes  No

Previous Address: \_\_\_\_\_

(Street, City, State, Zip)

All utility services to be provided hereunder shall be subject to all terms and conditions of Utility's state-approved tariff(s), Public Utility Commission of Texas ("PUCT") and the rules of the Texas Commission on Environmental Quality ("TCEQ"). This Contract/Application for Utility Service ("Contract/Application") is by and between Monarch Utilities I, L.P., a Texas corporation, ("Utility") and the applicant ("Customer" or "Applicant") whose name and signature is shown below at the end of this document.

**Deposit:** If a residential service applicant does not establish credit to the satisfaction of the utility, the residential service applicant may be required to pay a deposit of \$50 for water service and \$50 for sewer service. No deposit may be required of a residential service applicant who is 65 years of age or older if the applicant does not have a delinquent account balance with the utility or another water or sewer utility. Applicant must provide valid proof of age.

**CUSTOMER LIABILITY:** Customer shall be liable for any damage or injury to Utility-owned property or personnel by the customer or others under his control. Customer agrees to take no action to create a health or safety hazard or otherwise endanger, injure, damage or threaten Utility's plant, its personnel, or its customers.

**LIMITATION ON UTILITY'S PRODUCT/SERVICE LIABILITY:** Public water utilities are required to deliver water to the customer's side of the meter or service connection which meets the potability and pressure standards of the TCEQ. Utility will not accept liability for any injury or damage occurring on the customer's side of the meter. 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 Utility, (3) electrical power failures, or (4) termination of water service pursuant to Utility's tariff, TCEQ and PUCT rules.



**FIRE PROTECTION:** Utility is not required by law and does not provide fire prevention or fire fighting services. 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.

**PLUMBING CODE:** Utility has adopted the Uniform Plumbing Code. Utility has further adopted its own specific plumbing rules contained in its tariff. Any extensions and/or new facilities shall comply with that code and all standards established by the TCEQ. Where conflicts arise, the more stringent standard must be followed. 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 applicable regulatory authorities and all tariffed service rules of Utility. No other water service will be used by the Customer on the same property in conjunction with 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. The following undesirable plumbing practices are prohibited by state regulations. Other prohibitions are found in the Uniform Plumbing Code and/or Utility's tariff.

- A. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public drinking water system by an air-gap only.
- B. No cross-connection between the public drinking water supply and a private water system is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap only.
- C. No connection that allows water to return to the public drinking water supply is permitted.
- D. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection that provides water for human use.
- E. No solder or flux that contains more than 0.2% lead can be used for the installation or repair of plumbing of any connection that provides water for human use.

**RIGHT OF ACCESS AND EASEMENTS:** Utility will have the right of access and use of the Customer's premises at all reasonable times for the purpose of installing, 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 Utility's system. If the property to be served does not have dedicated, recorded public utility easements available for Utility's use in providing water utility service to the property, the Applicant (or the Applicant's landlord in the case of a tenant applicant) shall be required to provide Utility with a recorded permanent easement as a condition of service. Such easement shall be in a location acceptable to Utility and shall be for a corridor no less than fifteen (15) feet in width.

**LANDLORD GUARANTEE:** Applications by tenants must be countersigned by the fee owner of the property. By signing the application, the landlord grants all required rights of access and easements.

**PLUMBING INSPECTION:** Applicants for service at new consuming facilities or facilities which have undergone extensive plumbing modifications, including remodeling, 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. When potential sources of contamination are identified that require the installation of a backflow prevention device, such backflow flow prevention device shall be installed, tested and maintained at the customer's expense.

**SEWER REGULATIONS:** *(only if sewer service provided)* The Utility only provides "sewage" collection and disposal service to the public. This service is limited to the collection, treatment and disposal of waterborne human waste and waste from domestic activities such as washing, bathing, and food preparation. This service does not include the collection, treatment or disposal of waste of such high BOD or TSS characteristics that it cannot reasonably be processed by the Utility's state-approved wastewater treatment plant within the parameters of the Utility's wastewater discharge permit. **THIS SERVICE DOES NOT INCLUDE THE COLLECTION AND DISPOSAL OF STORM WATERS OR RUN OFF WATERS, WHICH MAY NOT BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM. NO GREASE, OIL, SOLVENT, PAINT, OR OTHER TOXIC CHEMICAL COMPOUND MAY BE DIVERTED INTO OR DRAINED INTO THE UTILITY'S COLLECTION SYSTEM.** It shall be the customer's responsibility to maintain the service line and appurtenances in good operating condition, i.e., clear of obstruction, defects, or blockage. If there is excessive, infiltration or inflow or failure to provide proper pretreatment, the Utility may require the customer to repair the line or eliminate the infiltration or inflow or take such actions necessary to correct the problem.

**RESIDENTIAL SINGLE FAMILY GRINDER / SEWAGE STATIONS :** *(only if sewer service provided)* The utility will install the grinder pumps, storage tanks, controls and other appurtenances necessary to provide pressurized sewer service to a residential connection. The customer will have ownership of all utility-installed grinder pumps, receiving tanks, lift stations or controls on the customer's property, and all maintenance, repairs and replacement are the customer's responsibility. The repairs may be performed by anyone selected by the customer, who is competent to perform such repairs. The utility requires that parts and equipment meet the minimum standards approved by the TCEQ, to insure proper and efficient operation of the sewer system.

**CUSTOMER AGREEMENT:** By signing this application for public utility service, I agree to comply with Utility's rules and tariff and all rules and regulations of applicable regulatory agencies. I guarantee prompt payment of all utility bills for the service address printed above. I will remain responsible for utility bills until the day service is terminated at my request. I agree to take no action to create a health hazard or otherwise endanger, injure, damage or threaten Utility's plant, its personnel, or its customers. I agree to put no unsafe, non-domestic service demands on Utility's system without notice to and permission from Utility.

Signature: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Reference Number: \_\_\_\_\_

APPENDIX C – AGREEMENT FOR TEMPORARY WATER SERVICE

AGREEMENT FOR TEMPORARY WATER SERVICE

The water utility service applicant indicated below ("Customer") has applied for water utility service from **MONARCH UTILITIES I, LP**, a Texas corporation ("Utility"), at the service location indicated below. Under state public health and water utility service regulations [16 TAC 24.46(j)], Utility may not provide continuous potable water utility service to any new construction, to any existing service location where significant plumbing modifications have been made, or to any location where Utility has reason to believe that a cross-connection or other undesirable or unsafe condition exists until the service applicant or customer presents Utility with an executed Customer Service Inspection Certificate (30 TAC 290.47-Appendix D). It is Customer's sole obligation and responsibility, at his/her expense, to have the necessary inspection performed by a properly licensed inspector. Neither Utility nor its operators perform customer service inspections on behalf of Utility.

Notwithstanding this inspection requirement before permanent water service can be provided, Utility is allowed to provide Customer with temporary water service for construction purposes only. Utility agrees to provide such temporary construction water service at its standard rates and conditions of service upon Customer's agreement that:

1. The water service provided will be used for construction, testing or landscaping purposes only.
2. The water provided will not be consumed by humans or absorbed into the human body. This water is not to be used for washing or bathing of humans. It will not be used for cleaning utensils used in cooking or eating. It will not be used for cooking or preparing food. This water will not be used for any purpose described or suggested in 30 TAC §290.38(23) as constituting "human consumption."
3. Customer will notify Utility in writing when to initiate the temporary construction service.
4. Customer will notify Utility in writing when construction at the indicated service location has ended,
5. Customer agrees not to occupy or reside in the indicated service location until Customer has delivered a fully executed Customer Service Inspection Certificate to Utility.

If Customer fails to abide by any provision of this agreement, water service to the indicated service location will be terminated and will not be restored under any circumstances until a fully executed Customer Service Inspection Certificate has been delivered to Utility. Termination will be made without notice if, in the opinion of Utility's licensed operator(s), Customer's service creates an immediate hazard to public health and safety. If no such hazard exists, Customer shall be notified and given a limited time to come into compliance. Utility's state-approved reconnect fee will be charged as a condition of service restoration if temporary water service is terminated for breach of this agreement.

1. Customer name: \_\_\_\_\_

2. Customer's billing address: \_\_\_\_\_

3. Customer's phone number: (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

4. Service location: \_\_\_\_\_

Subdivision: \_\_\_\_\_

Entered into in \_\_\_\_\_ County, Texas on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Customer:  
By: \_\_\_\_\_

Utility:  
By: \_\_\_\_\_



**WATER UTILITY TARIFF**  
**Docket Number: 4571545570**

Monarch Utilities I, L.P.  
(Utility Name)

12535 Reed Road  
(Business Address)

Sugar Land, Texas 77478-2837  
(City, State, Zip Code)

(866) 654-7992  
(Area Code/Telephone)

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

12983

This tariff is effective in the following counties:

Bandera, Brazoria, Chambers, Denton, Grayson, Harris, Hays, Henderson, Hood, Johnson, Liberty, Marion, Matagorda, Medina, Montgomery, Parker, Polk, San Jacinto, Smith, Tarrant, Trinity, Van Zandt, Wise, Wood

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

This tariff is only effective in the portions of the subdivisions and public water systems in the environs, except for the cities of Aurora and Coffee City that have surrendered rate jurisdiction.

This tariff is effective in the following subdivisions and public water ~~system(s)~~systems:

See attached list.

**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 .....	<u>62</u>
SECTION 2.0 – SERVICE RULES AND POLICIES .....	<u>1611</u>
SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS..	<u>2014</u>
SECTION 3.0 – EXTENSION POLICY .....	<u>2318</u>
SECTION 3.20 – SPECIFIC EXTENSION POLICY .....	<u>2419</u>

APPENDIX A – DROUGHT CONTINGENCY PLAN

APPENDIX B – APPLICATION FOR SERVICE

APPENDIX C – AGREEMENT FOR TEMPORARY WATER SERVICE

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Bandera	Lake Medina Shores	0100037	Lakeshore Beach, Wharton Dock, Lake Medina Shores, Lake Point
Brazoria	Holiday Shores	0200029	Holiday Shores
Chambers	Tower Terrace	0360069	Houston Raceway Park, West Chambers County Estates, Tower Terrace
Denton	Denton Creek Estates	0610015	Denton Creek Estates, Aero Valley Airport
	Ponderosa Addition	06101075	
	Stonecrest Estates	0610059	Sunrise Circle Estates, Ponderosa, Wild West Addition,
	Wynnwood Haven Estates	0610037	Stonecrest Estates,
	Ridgecrest (Grayson)	0910035	Wynnwood Haven, Estates, Snug Harbor
Grayson	Rocky Point Estates	0910038	Glen Eden, Hiland Shores, Lakeview, Little Mineral MHP, Millers Estates, Oak Estates, Preston Cove, Preston Forest, Preston Oaks, Preston Point Bend, Ridgecrest, Van Antwerp Hanna Cove Estates, Rocky Point Estates "B", Rock Point "A", Hanna Ranchettes Cedar Mills Estates, Hillcrest Shores, Wright Acres, Sherwood Shores Angler's Estates, Cedar Oak Hills, Eagle Chase, Fairway Hollow, Greenway Bend, Lakecrest Village, Mill Creek Homesites, Oak Meadow Estates, Paradise Cove, Russwood-on-the-Lake, Simmons Shores, Sunrise Circle, Tanglewood Hills, Tanglewood Resort, Cambridge Shores, Highport, Mill Creek Meadows
	Sherwood Shores	0910040	
	Tanglewood-on- Texoma	0910052	

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Harris	<b>Harris County Mud 191</b>	1012362	Villas of Willowbrook
Hays	<b>Plum Creek</b>	1050028	Amberwood, Bootstring Farms, Branch View Addition, Buda Business Park, Casey-Kyle, Double R, Dove Hill Estates, Goforth Estates, Green Pastures, Interstate Business, Kyle Crossing-Home Depot, Park South, Pinafore Park, Rolling Hills Estates, South Buda Business Park, Two Way, Village at Buda, Indian Paintbrush, River Oaks Ranch
	<b>River Oaks Ranch</b>	1050099	
Henderson	<b>Beachwood Estates</b>	1070069	Brentwood Estates, Deep Water Estates, Forest Shores, Greenwood Cove, Hidden Harbor, Indian Oaks, Beachwood Estates, Oak Forest Estates, Pebble Beach, Seis Hombres, Spillview Acres, Three-Way View, Treasure Isle, Waterboard
	<b>Briarwood Harbor</b>	1070220	Briarwood Harbor
	<b>Carolynn Estates / Pinnacle Club</b>	1070106	Bluffview, Brushy Creek, Bushwacker Estates, Carolynn Estates, Enclave, Esquire Estates II, Green Acres, Hidden Hills Harbor, Hillside Acres, Lynn Creek Cove, Payne Springs Estates, Forest Glen, The Highlands at Cedar Creek Lake, Michael's Cove, Pinnacle Club
	<b>Cherokee Shores</b>	1070206	Allen Ranch, Carson Addition, Coleman Tract, La Martinique, Landmarck Passage, Manning Ranch, Robinson Tract (Country Estates), Taylor Tract, Waterfront Shores, Cherokee Shores

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Henderson	<b>Highsaw</b>	1070124	Brierwood Bay, Coffee City*, Diamond Head Bay, Coffee Landing Addition, Fincastle Farms, Highsaw, Hillside Estates
	<b>Lollipop Landing</b>	1070039	Lollipop Landing
	<b>Westwood Beach</b>	1070085	Cooper Estates, Lakeway, Oak Trail Shores, Shiloh, Waterwood, Wildewood, Westwood Beach
Hood	<b>Acton ( Royal Oaks)</b>	1110055	Acton Royal Oaks
	<b>Comanche Cove</b>	1110060	Heritage Heights, Scenic View, Comanche Cove
	<b>Comanche Harbor</b>	1110022	Comanche Point, Island Village, Ports O'Call, Comanche Harbor
	<b>Granbury Acres</b>	1110109	377 Sunset Strip, Granbury Acres
	<b>Hideaway Bay Estates</b>	1110002	Hideaway Bay
	<b>Montego Bay Estates</b>	1110044	Montego Bay
	<b>Oak Trail Shores</b>	1110004	Lake Granbury Estates, Oak Trail Plaza, Oak Trail Shores, Arrowhead Shores, Lake Granbury Harbor
	<b>Rancho Brazos</b>	1110036	Rancho Brazos
	<b>Western Hills Harbor</b>	1110005	Western Hills Harbor, Whisperview Village, Kings Plaza
Johnson	<b>Crowley One Acre</b>	1260011	Blue Grass Estates, Crowley One Acre, Highcrest Estates, Skyline Ranch, Lakeside Estates, Lakeview Ranchettes
	<b>Falcon Crest Addition</b>	1260076	Falcon Crest Addition
	<b>Metroplex Homesteads</b>	1260074	Metroplex Homesteads, The Homesteads
	<b>Nolan River Estates</b>	1260099	Nolan River Estates

\*This subdivision is within the corporate limits of Coffee City who has surrendered utility rate jurisdiction.

COUNTY	WATER SYSTEMS	PWS.ID NUMBER	SUBDIVISIONS
Johnson	<b>Ridgecrest Estates (Johnson)</b>	1260035	Misty Hollow, Ridgecrest
	<b>Southern Acres</b>	1260094	Southern Acres
	<b>Sundance Addition</b>	1260025	Space Acres North, Space Acres, X-Cell Ranch Estates, Sundance
	<b>Tex-Rides Fifth</b>	1260037	Tex-Rides Fifth
	<b>Triple H Estates</b>	1260116	Triple H Estates
	<b>Twin Creeks Addition</b>	1260038	Rolling Acres, North Hills Estates, Twin Creeks Addition
	<b>West Meadows</b>	1260063	West Meadows
	<b>West Park Village</b>	1260077	West Park Village
Liberty	<b>Raywood</b>	1460041	Raywood
Marion	<b>Indian Hills Harbor</b>	1580063	Indian Hills Harbor
	<b>Pine Harbor</b>	1580023	Pine Harbor
Matagorda	<b>Camelot Forest</b>	1610058	Camelot Forest
Medina	<b>Lake Medina Shores</b>	0100037	Holiday Villages of Medina, Lake Medina Shores
Montgomery	<b>Crystal Springs</b>	1700331	Crystal Springs
	<b>Decker Hills</b>	1700386	Champions Glen, Decker Hills, Hidden Lake Estates, Inverness Crossing, Park Place
	<b>Hulon Lakes</b>	1700014	Hilltop Village, Woodcreek Valley, Hulon Lakes
	<b>Oak Woods</b>	1700454	Oak Woods
	<b>Serenity Woods</b>	1700483	Pine Loch, Serenity Woods
Parker	<b>Green Acres</b>	1840120	Green Acres, Robertson Village
	<b>Spanish Park Estates</b>	1840026	Spanish Park Estates
	<b>Western Lake Estates</b>	1840014	Cedar Ridge (Formerly Ruby Ridge), Brazos Ridge Estates, Western Lake Estates
	<b>Westview (Parker)</b>	1840105	Westview
Polk	<b>Chesswood</b>	1870088	Chesswood
	<b>Countrywood</b>	1870138	Country Wood
	<b>Garden Acres</b>	1870160	Garden Acres
	<b>Longhorn Valley</b>	1870152	Longhorn Valley
	<b>Oak Terrace Estates</b>	1870055	Oak Terrace Estates

COUNTY	WATER SYSTEMS	PWS ID NUMBER	SUBDIVISIONS
Polk	Phillips Acres	1870146	Phillips Acres
	Pinwah Pines	1870130	Pinwah Pines
San Jacinto	Bluewater Cove	2040059	Bluewater Cove
	Cedar Valley	2040045	Cedar Valley
	Coldspring Terrace	2040031	Coldspring Terrace
	Governor's Point	204008	Governor's Point
	Holiday Villages of Livingston	2040067	Hidden Coves, Holiday Village of Livingston, Palmetto Point
	Shepherd Hill Estates	2040061	Shepherd Hills Estates, Shepherd Ranch Estates
Smith	Lakeway Harbor	2120064	Lakeway Harbor
	Pine Trail Shores	2120035	Pine Trail Shores
Tarrant	Benbrook Hills	2200313	Benbrook Hills
	Markum Ranch Estates	2200281	Markum Ranch Estates
	Silver Saddle	2200299	Silver Saddle
	Westside Addition	2200079	Gun Club, Cabot Estates, Willow Creek Additions, Westside
Trinity	Harbor Point	2280035	Harbor Point
Van Zandt	Callender Lake	2340007	Callender Lake, Hickory Hills
Wise	Aurora Vista	2490051	Aurora Vista*
Wood	Holiday Villages of Fork	2500058	Holiday Villages of Fork

\* This subdivision is within the corporate limits of the City of Aurora who has surrendered utility rate jurisdiction.



SECTION 1.0 - RATE SCHEDULE

Section 1.01 – Rates

Rates Effective October 1, 2016

Meter Size	Monthly Minimum Charge (Includes 0 gallons)	Gallonge Charge
5/8"	\$49.30	\$7.47 per 1,000 gallons from 0 to 2,000 gallons \$9.20 per 1,000 gallons from 2,001 to 10,000 gallons \$10.43 per 1,000 gallons from 10,001 to 20,000 gallons \$11.11 per 1,000 from 20,001 and thereafter
3/4"	\$73.95	
1"	\$123.25	
<del>1 1/2</del> 1 1/2"	\$246.49	
2"	\$394.38	
3"	\$739.47	
4"	\$1,232.44	
6"	\$2,464.89	
8"	\$3,943.82	

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

FORM OF PAYMENT: The utility will accept the following ~~FORM(S)~~ forms of payment:  
 Cash , Check , Money Order , MasterCard , Visa , ~~and~~ Electronic Fund Transfer   
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENT MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

Monarch Utilities I, L.P.

Water Tariff Page 8

**~~SECTION 1.0 - RATE SCHEDULE (Cont.)~~**

Section 1.02 - Miscellaneous Fees

TAP FEE .....\$700.00

TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" METER PLUS UNIQUE COSTS.

TAP FEE (unique costs permitted by PUC rule).....Actual Cost

FOR EXAMPLE, A ROAD BORE FOR CUSTOMERS OUTSIDE OF SUBDIVISIONS OR RESIDENTIAL AREAS.

LARGE METER TAP FEE .....Actual Cost

TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 5/8 " METERS.

Docket No. 45570

SECTION 1.0 - RATE SCHEDULE (Continued)

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill .....\$25.00
  - b) Customer's request.....\$50.00
- Or other reasons listed under section 2.0 of this tariff

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 ..... 10% of the delinquent bill

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE.....\$25.00

CUSTOMER DEPOSIT – RESIDENTIAL.....\$50.00

CUSTOMER DEPOSIT – NON-RESIDENTIAL..... 1/6TH EST. ANNUAL BILL

METER TEST FEE (actual cost of testing the meter up to) .....\$25.00

THIS FEE 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.

**SECTION 1.0 - RATE SCHEDULE (Cont.)**

**SEASONAL RECONNECTION FEE**

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

**METER RELOCATION FEE** ..... Actual cost to relocate that meter  
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

**METER CONVERSION FEE** ..... Actual cost to convert that meter  
THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS CHANGE OF SIZE OF AN EXISTING METER OR CHANGE IS REQUIRED BY MATERIAL CHANGE IN CUSTOMER'S SERVICE DEMAND.

**LINE EXTENSION AND CONSTRUCTION CHARGES:**

REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.02 UTILITY SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS, AND CHARGES.

**GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:**

INCREASES IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE UNDER THE TERMS AND CONDITIONS OF ~~3016 TAC 291.21~~ § 24.21(k)(2F) AFTER NOTICE TO CUSTOMERS AND UPON WRITTEN APPROVAL BY THE PUC.

**SUPPLEMENTAL EMERGENCY SERVICE FEE**

APPLICABLE TO NONRESIDENTIAL WATER SERVICE CUSTOMERS THAT REQUIRE SUPPLEMENTAL SERVICE OVER AND ABOVE THEIR EXISTING WATER SERVICE FROM TIME TO TIME. USAGE TO BE DETERMINED BY CUSTOMER. THE MINIMUM DIAMETER FOR SUPPLEMENTAL SERVICE METER SHALL BE 2 INCHES.

**Docket No. 45570**

SECTION 1.0 - RATE SCHEDULE (Continued)

MONTHLY SUPPLEMENTAL SERVICE RATE .....\$14.64  
PER INCH DIAMETER OF SERVICE CONNECTION PIPE  
service connection pipe  
AND USAGE IS BILLED AT HIGHEST TIER.

**SECTION 1.0 – RATE SCHEDULE (Cont.)****WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTMENT:**

CHANGES IN FEES IMPOSED BY ANY NON-AFFILIATED THIRD PARTY WATER SUPPLIER OR UNDERGROUND WATER DISTRICTS HAVING JURISDICTION OVER THE UTILITY SHALL BE CHARGED THROUGH THE WATER PASS-THROUGH GALLONAGE CHARGE ADJUSTED ANNUALLY ACCORDING TO THE FOLLOWING TRUE-UP FORMULA INTENDED TO BALANCE REVENUE FROM THE CHARGE AGAINST ACTUAL PAYMENTS AND COLLECTIONS FROM THE PRIOR YEAR:

WPC =  $(E + (AP - AC)) / (ME \times AU)$  Where:

WPC = Water Pass-Through Gallonage Charge per 1,000 gallons, rounded to the nearest cent

E = Projected sum for upcoming 12 months of Purchase Water and District costs

AP = Actual Payments by utility for prior 12 months for Purchase Water and District costs

AC = Actual Collections by utility in prior 12 months from the previously approved water pass-through gallonage charge

AP-AC= Difference between actual payments and actual collections from the previously approved water pass-through gallonage charge for the prior 12 months

ME = Year End Meter Equivalents

AU = Average Annual Usage per meter equivalent, in 1,000 gallons, from most recent rate case

The WPC must be trued up and adjusted every twelve months.

To implement, all notice requirements must be met. The utility may begin to charge the new filed WPC on the proposed effective date in the notice. Implementation of this WPC adjustment provision shall be governed by ~~P.U.C. Subst. R.~~ TAC § 24.21(h).

With each annual WPC adjustment, the utility must file a true-up report with the Commission that shows the calculation for the next 12-month WPC reflected in the notice. The report shall contain up to five years' worth of data, as available, showing the annual and accumulated difference between WPC amounts collected from customers and amounts actually paid to the entities whose charges are included in the WPC. The report shall also show how the new WPC was calculated according to the adjustment formula above.

SECTION 1.0 - RATE SCHEDULE (Continued)

## TEMPORARY WATER RATE:

Unless otherwise superseded by PUC 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:

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

Monarch Utilities I, L.P.Water Tariff Page 13~~SECTION 1.0 - RATE SCHEDULE (Cont.)~~

Where:

- TGC = temporary gallonage charge;  
 cgc = current gallonage charge;  
 r = water use reduction expressed as a decimal fraction (the pumping restriction); and  
 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~~16 TAC ~~291.21~~ § 24.21(lj).

## METER TAMPERING, DAMAGE OR SERVICE DIVERSION PENALTY:

ONE TIME PENALTY PER OCCURRENCE FOR TAMPERING WITH OR DAMAGING A WATER METER OR ANY APPURTENANCE THERETO INCLUDING LOCKS AND METER BOXES OR SERVICE DIVERSION OF ONE HUNDRED DOLLARS (\$100.00).

Monarch Utilities I, L.P.Water Tariff Page 10

## FRANCHISE FEE PASS THROUGH CLAUSE:

Charges a municipality makes for use of streets and alleys pursuant to Tax Code §182.025 or other applicable state law not to exceed 2% or the actual amount charged by the municipality shall be passed through utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\text{AG} = \text{G} + \text{B}, \text{ where,}$$

AG = adjusted gallonage charge, rounded to the nearest one cent;  
 G = approved gallonage charge (per 1,000 gallons); and  
 B = projected franchise fees payable (per 1,000 gallons).

**Docket No. 45570**

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SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge</u>
5/8"	<u>\$8.24</u> (includes 2,000 gallons) Same for all meter sizes	<u>\$4.12</u> per 1000 gallons from 2,001 and thereafter Same for all meter sizes

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash  Check  Money Order  MasterCard  Visa  ~~and~~ Electronic Fund Transfer   
 THE UTILITY MAY REQUIRE EXACT CHANGE FOR PAYMENTS AND MAY REFUSE TO ACCEPT PAYMENT MADE USING MORE THAN \$1.00 IN SMALL COINS. A WRITTEN RECEIPT WILL BE GIVEN FOR CASH PAYMENTS. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

REGULATORY ASSESSMENT..... 1.0%  
 PUC RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETIAL MONTHLY BILL AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE..... \$525.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 5/8" METER PLUS UNIQUE COSTS.

TAP FEE..... \$2,000.00  
 TAP FEE IS BASED ON THE AVERAGE OF THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR STANDARD RESIDENTIAL CONNECTION OF 1" METER PLUS UNIQUE COSTS.

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

LARGE METER TAP FEE..... Actual Cost  
 TAP FEE IS BASED ON THE UTILITY'S ACTUAL COST FOR MATERIALS AND LABOR FOR METERS LARGER THAN STANDARD 1" METERS.

METER TEST FEE (actual cost of testing the meter up to)..... \$25.00  
 THIS FEE 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.

METER RELOCATION FEE ..... Actual cost to relocate that meter  
 THE FEE MAY BE CHARGED IF A CUSTOMER REQUESTS RELOCATION OF AN EXISTING METER.

Docket No. 45570

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Monarch Utilities I, L.P.  
Villas at Willowbrook

SECTION 1.0 -- RATE SCHEDULE (Cont.)

RECONNECTION FEE

THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:

- a) Non-payment of bill.....\$25.00
- b) Customer's request.....\$50.00

TRANSFER FEE.....\$30.00

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

LATE CHARGE.....10% of the delinquent bill

A ONE-TIME PENALTY MAY BE MADE ON DELINQUENT BILLS BUT MAY NOT BE APPLIED TO ANY BALANCE TO WHICH THE PENALTY WAS APPLIED IN A PREVIOUS BILLING.

RETURNED CHECK CHARGE.....\$25.00

CUSTOMER DEPOSIT – RESIDENTIAL.....\$50.00

CUSTOMER DEPOSIT – NON-RESIDENTIAL..... 1/6TH EST. ANNUAL BILL

LINE EXTENSION AND CONSTRUCTION CHARGES:

REFER TO SECTION 2.12 SPECIFIC UTILITY SERVICE RULES AND SECTION 3.20 UTILITY SPECIFIC EXTENSION POLICY FOR TERMS, CONDITIONS AND CHARGES.

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE CLAUSE:

INCREASES IN INSPECTION FEES AND WATER TESTING COSTS IMPOSED BY STATE OR FEDERAL LAW MAY BE PASSED THROUGH AS AN ADJUSTMENT TO THE MONTHLY BASE RATE CHARGE UNDER THE TERMS AND CONDITIONS OF ~~PUC Subst. R. § 24.21(K)(2)~~ AFTER NOTICE TO CUSTOMERS AND UPON WRITTEN APPROVAL BY THE PUC.

PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE – ALL WATER SUPPLY SUBJECT TO FEE:

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 utility-wide as an adjustment to the water gallonage charge according to the following formula:

- AG=  $G/(1-L)$ , where
- AG= adjusted gallonage charge, rounded to the nearest one cent:
- G = approved gallonage charge from the third party water supplier or district (per 1,000 gallons); and
- L = system average line loss for preceding 12 months not to exceed 0.15.

## SECTION 1.0 -- RATE SCHEDULE (Cont.)

## PURCHASED WATER AND/OR DISTRICT FEE PASS THROUGH CLAUSE – PORTION OF WATER SUPPLY SUBJECT TO FEE:

Upon notice from a water supplier of either an increase or decrease in the cost of purchased water, the Utility shall provide notice to customers and the Commission of its intent to implement rates imposed by any non-affiliated third party water supplier or underground water district having jurisdiction over the Utility shall be passed through Utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\begin{aligned} \text{Adjustment to the gallonage rate} &= \text{AG} = (\text{CP}/\text{GB}) \times 1,000 \\ \text{Adjustment to the minimum bill} &= \text{AMB} = \text{GMB} \times \text{AG} \end{aligned}$$

- CP = CP1 – CP0 = change in cost of purchased water;  
 CP1 = Cost of purchased water during the most recent 12 month period at the new rate;  
 CP0 = Cost of purchased water during the most recent 12 month period at the previous rate;  
 GMB = Number of gallons in the minimum bill, divided by 1,000; and  
 GB = Number of gallons billed to customers in excess of the amount included in the monthly minimum bill for the 12 month period used above.

## TEMPORARY WATER RATE:

Unless otherwise superseded by PUC 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:

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

Where:

- TGC = temporary gallonage charge;  
 cgc = current gallonage charge;  
 r = water use reduction expressed as a decimal fraction (the pumping restriction); and  
 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 16 TAC § 24.21(h).

## FRANCHISE FEE PASS THROUGH CLAUSE:

Charges a municipality makes for use of streets and alleys pursuant to Tax Code §182.025 or other applicable state law not to exceed 2% or the actual amount charged by the municipality shall be passed through utility-wide as an adjustment to the water gallonage charge according to the following formula:

$$\text{AG} = \text{G} + \text{B}, \text{ where,}$$

- AG = adjusted gallonage charge, rounded to the nearest one cent;  
 G = approved gallonage charge (per 1,000 gallons); and  
 B = projected franchise fees payable (per 1,000 gallons).

Docket No. 45570

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Monarch Utilities I, L.P.  
***Oak Terrace Estates***  
 (Formerly Romark Utility)

SECTION 1.0 -- RATE SCHEDULE

Section 1.01 - Rates

<u>Meter Size</u>	<u>Monthly Minimum Charge</u>	<u>Gallonage Charge</u>
5/8" or 3/4"	<u>\$43.50</u> (Includes 0 gallons)	<u>\$3.00</u> per 1000 gallons
1"	<u>\$87.00</u>	

FORM OF PAYMENT: The utility will accept the following form(s) of payment:

Cash , Check , Money Order , Credit Card , Other (specify) — X (Electronic Fund Transfer)

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. AT THE CUSTOMER'S OPTION, ANY BILLING TRANSACTION OR COMMUNICATION MAY BE PERFORMED ON THE INTERNET. THIS INCLUDES THE UTILITY SENDING PAPERLESS BILLS BY EMAIL.

REGULATORY ASSESSMENT ..... 1.0%

~~TCEQ~~ TCEQ RULES REQUIRE THE UTILITY TO COLLECT A FEE OF ONE PERCENT OF THE RETAIL MONTHLY BILL AND TO REMIT THE FEE TO THE TCEQ.

Section 1.02 - Miscellaneous Fees

TAP FEE ..... \$450.00

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.

Docket No. 45570

Monarch Utilities I, L.P.  
Oak Terrace Estates  
(Formerly Romark Utility)

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.

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.

TRANSFER FEE..... \$50.00  
THE TRANSFER FEE WILL BE CHARGED FOR CHANGING AN ACCOUNT NAME AT THE SAME SERVICE LOCATION WHEN THE SERVICE IS NOT DISCONNECTED

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..... \$50.00

LATE CHARGE (EITHER \$5.00 OR 10% OF THE BILL) ..... 10%  
PUC 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

GOVERNMENTAL TESTING, INSPECTION AND COSTS SURCHARGE  
WHEN AUTHORIZED IN WRITING BY PUC AND AFTER NOTICE TO CUSTOMERS, THE UTILITY MAY INCREASE RATES TO RECOVER INCREASED COSTS FOR INSPECTION FEES AND WATER TESTING.  
[3016 TAC 291.21§ 24.21(K)(2E)]

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.



SECTION 2.0—SERVICE RULES AND REGULATIONSSection 2.01—Rules

~~The Utility will have the most current Public Utility Commission of Texas (PUC or Commission) Chapter 24 Rules 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 5 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.~~

~~Where service has previously been provided, service will be reconnected within one working day 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 PUC 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 that a complaint may be filed with the Commission.~~

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 PUC 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 that 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.~~

## SECTION 2.0 - SERVICE RULES AND REGULATIONS

Section 2.01 – Rules

The Utility will have the most current Public Utility Commission of Texas (PUC or Commission) Chapter 24 Rules 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 5 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.

Where service has previously been provided, service will be reconnected within one working day 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 PUC 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 that a complaint may be filed with the Commission.

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 PUC 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 that 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.

**Docket No. 45570**

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SECTION 2.0 - SERVICE RULES AND REGULATIONS (~~CONT.~~CONTINUED)

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 residential customer who has paid 18 consecutive billings without being delinquent. Deposits from non-residential customers may be held as long as that customer takes service.

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 PUC 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 Association, the Utility will charge the customer a fee that 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 PUC. The due date of the bills for utility service will be at least sixteen (16) days from the date of issuance. If the customer is a state agency, the due date for the bill may not be less than 30 days after issuance, unless otherwise agreed to by the agency. 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. At the customer's option, bills may be sent in a paperless, electronic form by email. The date of the email will constitute 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 workday after the due date.

A late penalty of 10% of the delinquent bill will be charged on bills received after the due date. 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 PUC 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.

**Docket No. 45570**

SECTION 2.0 - SERVICE RULES AND REGULATIONS (CONTINUED)

In the event of a dispute between a customer and the 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 2.0 - SERVICE RULES AND REGULATIONS (CONT.)~~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.

The Utility may 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 has not been entered into within 30 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 PUC Rules.

Section 2.08 - Reconnection of Service

Utility service may also be disconnected without notice for reasons as described in the PUC 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 and Regulations for Public Water Systems.

Docket No. 45570

SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

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 PUC 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 2.12 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 PUC Rules to be effective.

The Utility adopts the administrative rules of the PUC, 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 PUC'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 PUC rule in question to the degree that the Utility may conduct its lawful business in conformance with all requirements of said rule.

All references in Utility's tariff, service contracts, or PUC rules shall mean the Utility's offices at 12535 Reed Road, Sugar Land, TX 77478. Customers may make payments, apply for service, and report service problems at the office. Use of the term "business office" shall refer to this office.

All payments for utility service shall be delivered or mailed to the Utility's business office. If the business office fails to receive payment before 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 a 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.

**Docket No. 45570**

SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS  
(CONTINUED)

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.

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.

~~SECTION 2.12—SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)~~

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 PUC 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 PUC'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, the Utility and the applicant will select such engineer, 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 PUC 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.

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 before payment and/or commencement of construction.

**Docket No. 45570**

SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS  
(CONTINUED)

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 PUC 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 16 TAC § 24.86(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 PUC 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 that 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.

~~SECTION 2.12—SPECIFIC UTILITY SERVICE RULES AND REGULATIONS (CONT.)~~

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

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 crossover 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.

**Docket No. 45570**

SECTION 2.20 – SPECIFIC UTILITY SERVICE RULES AND REGULATIONS  
(CONTINUED)

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 backflow prevention device shall be installed on the customer's service line or other necessary plumbing facilities by an appropriately licensed plumber/backflow 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.

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 16 TAC § 24.89(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."

Docket No. 45570

## 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 before 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 UTILITIES 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.



**Docket No. 45570**

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SECTION ~~3.023.20~~ – SPECIFIC UTILITY EXTENSION POLICYSection ~~3.023.20~~ - 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 PUC 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 PUC, 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 PUC'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 PUC 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 PUC rules.

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

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of 16 TAC § 24.86(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 16 TAC § 24.86(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.

**Docket No. 45570**

SECTION ~~3.023.20~~ – SPECIFIC UTILITY EXTENSION POLICY (~~CONT.~~CONTINUED)

Unless expressly exempted by PUC rule or order, each point of use (as defined by 2416 TAC § 24.3) must be individually metered.

The imposition of additional extension costs or charges as provided by Sections 2.12 and 3.02 of this tariff shall be subject to appeal as provided in this tariff, PUC 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 before 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 PUC 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 PUC 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 any individual applicant desires one service connection. Service application 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 that might delay fulfilling the service request. Completed service applications may be submitted by mail if hand delivery is not possible.

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 PUC 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 PUC 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 PUC 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 PUC. 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, PUC rules and/or PUC 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 is made. The tap request must be

**Attachment 3**

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.

**Docket No. 45570**

SECTION ~~3.023.20~~ – SPECIFIC UTILITY EXTENSION POLICY (~~CONT.~~CONTINUED)

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 PUC for resolution. Unless otherwise ordered by the PUC, the tap or service connection will not be made until the location dispute is resolved.

The Utility shall require a developer (as defined by PUC 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 that 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.

Before the extension of utility service to developers (as defined by PUC 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.

**Docket No. 45570**

SECTION ~~3.023.20~~ – SPECIFIC UTILITY EXTENSION POLICY (~~CONT.~~CONTINUED)

(c) Copies of all proposed plats and plans must be submitted to the Utility before 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 that 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 system extensions, except individual taps, meters, and water 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 before 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 Agreement 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 before 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 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