



## Filing Receipt

**Received - 2022-02-03 09:37:44 AM**  
**Control Number - 53075**  
**ItemNumber - 125**

Any customer dissatisfied with the utility's resolution of a complaint may file a complaint with: The Public Utility Commission of Texas, 7800 Shoal Creek Blvd., Suite 450N, Austin, Texas 78757.

The operation of a water system including service standards and billing practices must comply with the Commission's Substantive Rules, a copy of which may be secured for a nominal printing cost.

UTILITY EMPLOYEES SHALL LEND ASSISTANCE TO ANYONE INQUIRING OR SEEKING INFORMATION AND AFFORD TO THEM AN OPPORTUNITY TO EXAMINE THIS TARIFF.

#### WATER UTILITY TARIFF

for

Woods of Bear Creek Water Company, Inc., 505 Barton Springs Road, Suite 750, Austin, Texas 78704 (512) 482-0972

THE ABOVE UTILITY OPERATES A WATER SYSTEM IN THE FOLLOWING COUNTIES:

Hays County

AND THE FOLLOWING CITIES, UNINCORPORATED TOWNS AND SUBDIVISIONS (if any):

Woods of Bear Creek Subdivision in Hays & Travis County, Texas

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THE ABOVE UTILITY LISTS THE FOLLOWING SECTIONS OF ITS TARIFF (if additional pages are needed for a section, all pages should be numbered consecutively):

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THE APPENDIX CONTAINS A SAMPLE OF EACH SERVICE AGREEMENT FORM USED BY THE ABOVE UTILITY AND A CONDENSATION OF Substantive Rules OF THE COMMISSION.

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WOODS OF BEAR CREEK WATER CO., INC.

## SECTION A RATE SCHEDULE

1. Water Rate. The monthly charge for water service which includes the first two thousand (2,000) gallons is as follows:

- A. 5/8" or 3/4" meter - \$18.50 per month;
- B. 1" meter - \$26.25;
- C. 1 1/2" meter - \$63.75; and
- D. 2" meter - \$83.75

This rate is charged after meter installation and there is a charge of \$1.25 per one thousand (1,000) gallons for any excess gallonage over two thousand (2,000) gallons used in any month. Any excess gallonage of five hundred (500) gallons or more shall be rounded to the next one thousand (1,000) gallons.

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~~The rates shall be subject to any tax imposed upon the corporation by local, State, county or any other governmental agency having jurisdiction.~~

2. Tap Fee. A tap fee in the amount of the actual cost of such tap and not to exceed three hundred (\$300.00) dollars will be charged for initial 5/8" - 3/4" meter service. Fee includes meter and installation of same. (Fee for larger meters will be actual cost of such meter and the cost of its installation).

3. Reconnect Fee. If a customer is disconnected by the Company, either at the customer's request or otherwise, a fee of thirty (\$30.00) dollars will be charged as a reconnect charge before such customer is allowed to reconnect service.

4. Return Check Charge. A fee of fifteen (\$15.00) dollars will be charged for each check that is returned to the Company indicating that it has not been paid for any reason, including but not limited to, insufficient funds.

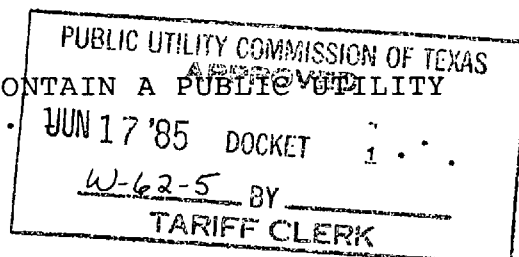
5. Non-Residential Water Rates. Any connection which is non-residential shall be covered by the water rates stated above but shall also be governed by those non-residential provisions contained in this tariff.

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~~6. Obstructions. A fee of twenty-five (\$25.00) dollars or actual cost, whichever is greater, may be charged to a customer who fails to satisfactorily maintain the meter and surrounding area; provided, however, the customer has been given seven (7) days written notice by the Utility to remedy the situation.~~

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WOODS OF BEAR CREEK WATER CO., INC.

## SECTION A RATE SCHEDULE

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~~7. Pets-Fences. A fee for thirty (\$30.00) dollars must be paid in advance by a customer protesting billing based on estimated water usage caused by customer's failure to provide the Utility access to read the meter.~~

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~~8. Failure to permit utility access to meter following notice. A fee of twenty-five (\$25.00) dollars may be assessed to a customer who fails to remedy obstructions, restrain pets and/or the Utility from gaining access to the meter for two (2) consecutive billing periods; provided, however, customer has been given seven (7) days written notice to cure the situation and has not done so by the date of the next scheduled meter reading.~~

*Deleted 6/17/85*  
 9. Tampering. When the Utility has obtained photographic or other reliable or credible evidence of meter tampering, bypass or diversion by unauthorized personnel; evidence indicates that the customer or his family, agents, employees or anyone acting on his behalf was directly or indirectly responsible; and the Utility, in the absence of a court finding, provides a sworn affidavit to that effect, the Utility shall charge the customer a fee of thirty (\$30.00) dollars per service call, and a charge of ~~twenty-five (\$25.00) dollars for water consumption.~~

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WOODS OF BEAR CREEK WATER CO., INC.

## SECTION B SERVICE RULES AND REGULATIONS

## 1. APPLICATION

A. Application for Service. All applications for service will be made on the Utility's standard application or contract form and will be signed by the applicant before water service is supplied by the Utility. A separate application or contract will be made for each service at each separate location. In the event the subject location does not have lines abutting said location, the applicant's application may be rejected unless satisfactory arrangements have been made to extend such lines with the approval of the Utility. Tap charges must be paid prior to approval and installation of service.

## B. New Taps and Service.

1. Water Main in Place Abutting User's Property. After proper application is made by an applicant, receipt of the tap fee (and approval of connection plan by the Utility, the Utility shall effect the installation of a standard water tap during regular working hours of the Utility. Such installation shall be in compliance with all regulations and rules of all regulatory agencies and, to the extent that Utility standards are more restrictive, in compliance with the standards of the Utility.

2. Utility Water Main not on User Property or Abutting User Property. In the event an applicant desires water service and a tap on a lot which does not currently have water mains in place, in addition to paying the required tap charge, and in addition to complying with subparagraph 1 above, applicant shall pay for additional facilities as may be required to provide the service and any facility so provided shall be the property of the Utility from and after the date of acceptance of such facilities. The applicant must provide suitable easements or right-of-way and the Utility, at the expense of the applicant, will cause the tap to be installed and provide both materials and labor.

C. Application Requiring Professional Services of Engineer. If as determined by the Utility, the services of a registered professional engineer are required as a result of an application for service received by the Utility, the engineer will be selected by the Utility and the applicant for service will bear all expenses incurred for these services.

D. Request for Non-Standard Service. If an applicant requires 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 expense that would be incurred in providing the standard service and meter.

## 2. INSTALLATION

A. Residential Water Line. After the customer has met all of the requirements, conditions and regulations set forth herein, and has paid the standard tap fees as set forth herein, the

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## SECTION B SERVICE RULES AND REGULATIONS

applicant shall install at his own cost, in the event that a water line has not already been placed, a standard water line from the residence to the property line. In no event shall applicant tap into the water main until a Utility representative is present at the site to supervise tie-in of same. Applicants outside of the Utility service area shall, in addition to the above, pay the average base cost for such service connection as set forth in Section C.

B. The customer must install a water cut-off valve downstream of the meter installation. This valve will be used only by the customer. The cut-off located upstream of the meter will be operated by the Utility only. If a meter cut-off valve is left in the cut-off position, a lock will be placed on or within two (2') feet of the meter installation but must be installed before or upstream of any Tee or faucet (outlet). The customer cut-off must be accessible and not covered with dirt. A box should be installed to protect the cut-off.

C. Standard Service. The standard service will have one (1) connection for each residential unit on each lot; otherwise, such service shall be considered non-standard service.

D. Plumbing Practices. In accordance with the policy of the Texas Department of Health, the Company reserves the right to prescribe plumbing practices acceptable to the trade prior to the installation of meters in order to comply with the requirements of the Department on cross-connections or inter-connections of water supplies and other measures to protect the quality and sanitary condition of the Company's potable water supply.

E. Required Permits. If, because of geologic reasons, it is necessary to cut a paved street in order to facilitate a service connection and maintain standards required by governmental agencies, customer shall bear same at his own expense. No paved street cuts will be authorized by the Utility for a period of two (2) years from the effective date of completion of the street across which service is sought. If, during said two year period service requires the crossing of public streets, the Utility shall require boring work to such street so as not to disturb the pavement. If, following expiration of the two (2) year period, same becomes necessary, applicant must provide written permission or approval issued by the Urban Transportation Department of the City of Austin prior to boring.

## 3. METERS

A. Meter Tests on Request of Customer. The Company shall, on request of the customer, and in his presence or in that of his authorized representative if he so desires, make a test of the accuracy of the customer's meter without charge. The test shall be made during the Utility's normal working hours at a time convenient to the customer if he desires to observe the test.

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The test shall be made on the customer's premises unless the Utility, at its discretion, elects to conduct the test at the Utility's test laboratory. If the meter has been tested by the Company or by an authorized agency at the customer's request and the customer requests a new test within four (4) years, the Utility shall make the test but, if the meter is found to be within the accuracy standards previously designated by the Utility and established by the American National Standards Institute, Inc., or the American Waterworks Association, the Utility may charge the customer to test the meter. The charge shall be no more than fifteen (\$15.00) dollars for a residential customer or actual cost for a commercial customer. Following the completion of any requested test, the Utility at its discretion shall promptly advise the customer of the date of removal of the meter, the date of the test, the result of the test and the identity of the test examiner.

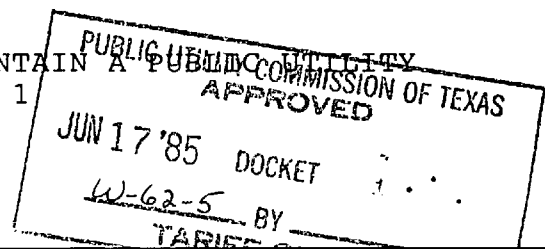
B. Bill Adjustment. Meters found inoperative will be repaired or replaced within five (5) working days after it is discovered. Bills under this situation will be rendered on the basis of charges during a similar period during the previous year or corresponding time period. If any meter is found to be outside of the accuracy standards previously designated by the Utility, established by the American National Standards Institute, Inc., or the American Waterworks Association, proper correction shall be made of previous readings for the period of six (6) months immediately preceding the removal of such meter from service or tests or from the time the meter was in service since last tested, but not exceeding six (6) months, as the meter shall have been shown to be in error by such tests, and adjusted bills shall be rendered. No refund is required from the Utility except to the customer last served by the meter prior to testing. If a meter is found not to register for any period, unless bypassed or tampered with, the Utility, at its discretion, shall make a charge for units used, but not metered, for a period not to exceed three (3) months based on amounts used under similar conditions during the period preceding or subsequent thereto, or during corresponding periods in previous years.

C. Faucets are not permitted within ten (10') feet of the meter installation.

D. No more than one (1) dwelling, home or lot will be connected to a single meter unless authorized in writing by the Utility.

E. Reinstallation of water meters removed for non-payment of water bill shall be only reinstalled between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, with the exception of legal holidays.

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## SECTION B SERVICE RULES AND REGULATIONS

F. No driveways will be permitted within four (4') feet of the meter box installation.

## 4. BILLING

A. Billing Cycle. Bills shall be rendered monthly. The due date of the bill for water service is sixteen (16) days after issuance. A bill is delinquent if unpaid by the due date. The postmark, if any, on the envelope of the bill or an issuance date on the bill, if there is no postmark on the envelope, shall constitute proof of the date of issuance. If the due date falls on a holiday or weekend, the next due date for payment purposes shall be the next day which is neither a Saturday, Sunday nor a legal holiday. A customer's water may be disconnected by the Company if the bill is not paid or a deferred payment agreement is not entered into within twenty-six (26) days after the date of issuance and notice of proposed disconnection has been given.

B. Service Discontinuance. Notice of disconnection shall consist of separate mailing or hand delivery at least ten (10) days prior to the stated date of disconnection. If mailed, the cut-off date may not fall on a holiday or weekend but shall fall on the next work day after the seventh day.

C. Staggered Periods. The Utility reserves the right to stagger billing periods between service areas if the workload requires such practice. Billing periods after being changed will remain changed to that different billing period unless otherwise determined by the Company.

D. Payment of Due Amounts. Every applicant who has previously been a customer of the Utility and whose service has been disconnected for non-payment of bill, shall be required before service is rendered to pay all amounts due to the Utility.

E. Disputed Bills. In the event of a dispute between the customer and the Utility regarding any bill, the Utility shall forthwith make and conduct an investigation as shall be required by the particular case, and report the results thereof to the customer within thirty (30) days from the date notice is received by the Utility.

F. Meter Reading. Meters will be read by the Utility on a monthly basis within five (5) days of the monthly date upon which the meter was read in the previous month, with the exception of weather or conditions that would make it impossible to read meters.

~~1. Obstructions. Customer will maintain meter and surrounding area in such a manner that Utility can satisfactorily gain access to and read meter. In the event that same becomes unduly difficult or impossible, Utility will provide seven (7) days written notice to Customer and, if situation is not remedied within seven (7) days of receipt of notice, Utility may, at its~~

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discretion, arrange for contract maintenance and assess a fee of \$25.00 or actual cost of maintenance, whichever is greater.

2. Pets - Fences. Pets shall be restrained in such a manner that Utility can gain access to meter. If the meter is within the confines of a fence or other obstacle, customer shall leave same unlocked or make other arrangements satisfactory to the Utility in order to facilitate meter reading. In the event that Utility cannot gain access, Utility will estimate water usage on the basis of charges during a similar period during the previous year or corresponding time period. In the event that customer objects to this practice, customer must protest same within five (5) working days of receipt of bill and pay in advance at time of protest a fee of \$30.00 for meter reading and necessary corrections to bill.

If, for any of the reasons, stated in above Sections 1 or 2, Utility is unable to gain access for two (2) consecutive billing periods, Utility will provide customer seven (7) days written notice and, if situation has not been remedied by date of next scheduled meter reading, Utility may, at its discretion:

a. Require customer to permit Utility access to meter in order to read same and assess a fee of \$25.00 for such service; or

b. Utility may make arrangements with customer whereby customer will provide meter reading to Utility, no later than date designated by Utility, and provide for scheduled future access to meter whereby previous meter readings may be verified.

## 5. DEPOSIT

## A. Applicant's Deposit.

1. Establishment of Credit for Permanent Residential Applicants.

a. The Company may require a residential applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the customer from complying with rules for prompt payment of bills. Subject to these rules, a residential applicant shall not be required to pay a deposit:

(1) If the residential applicant has been a customer of any utility for the same kind of service within the last two (2) years and is not delinquent in payment of any such utility service account and during the last twelve (12) consecutive months of service did not have more than one (1) occasion in which a bill for such utility service was paid after becoming delinquent and never has service been disconnected for non-payment; or

(2) If the residential applicant furnishes in writing a satisfactory guaranty to secure payment of bills for the service required; or

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## SECTION B SERVICE RULES AND REGULATIONS

(3) If the residential applicant demonstrates a satisfactory credit rating by appropriate means including but not limited to the production of generally acceptable credit cards, letters of credit reference, the names of credit references which may be quickly and inexpensively contacted by the Utility, or ownership of substantial equity.

b. Re-establishment of Credit. Every applicant who previously has been a customer of the Utility and whose service has been disconnected for non-payment of bills shall be required before service is rendered to pay all amounts due the Utility or execute a deferred payment agreement, if offered, and re-establish credit as provided in the preceding section.

c. Amount of Deposit and Interest for Commercial and Residential Service and Exemption from Deposit.

(1) The required payment shall not exceed an amount equivalent to one-sixth ( $1/6$ ) of the estimated annual billings. If the actual use is at least twice the amount of estimated billings, and a suspension notice has been issued on a bill within the previous twelve (12) month period, a new deposit and requirement may be calculated and an additional deposit may be required to be made within five (5) days after notice thereof. If such additional deposit is not made, the Utility may disconnect service under the standard disconnection procedure.

(2) All applicants for residential service who are sixty-five (65) years of age or older will be considered as having established credit if such applicant does not have an outstanding account balance with the Utility or another utility for the same utility service which accrued within the last two (2) years. No cash deposit shall be required of such an applicant under these conditions.

(3) The company, as to any deposits, shall pay minimum interest on such deposits at an annual interest rate equal to six (6%) percent. If a refund or deposit is made within thirty (30) days of receipt of deposit, no interest payment is required. If the company retains the deposit more than thirty (30) days, payment of interest shall be made retroactive to the date of deposit. Payment of the interest to the customer shall be annually, if requested by the customer, or at the time deposit is returned or credited to the customer's account. The deposit shall cease to draw interest on the date it is returned or credited to the customer's account.

B. Records of Deposits. The Utility will keep records to show the name and address of each depositor, the amount and date of the deposit and each transaction concerning the deposit. The Utility shall issue a receipt of deposit to each applicant from whom a deposit is received and shall provide means whereby the

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depositor may establish a claim if the receipt is lost. A record of each unclaimed deposit must be maintained for at least four (4) years, during which time the Utility shall make a reasonable effort to return the deposit.

C. Refund of Deposit. It is the policy of the Company to refund deposits including any earned interest on deposits according to the rules of the Public Utility Commission of Texas. If service is not connected or after disconnection of service, the Utility shall promptly and automatically refund the customer's deposit plus accrued interest or the balance, if any, in excess of unpaid bills for service furnished. A transfer of service from one premise to another within the service area of the Utility shall not be deemed a disconnection within the meaning of these rules and no additional deposit may be demanded unless permitted by these rules. When the customer has paid bills for service for twelve (12) consecutive residential billings or twenty-four (24) consecutive commercial billings without having service disconnected for non-payment of bill, and without having more than two occasions on which a bill was delinquent, and when the customer is not delinquent in the payment of current bills, the Utility shall promptly and automatically refund the deposit plus accrued interest to the customer in the form of cash or credit to a customer's bill.

## 6. REFUSAL OF SERVICE

A. Compliance by Applicant or Customer. The Utility may decline to serve an applicant until such applicant has complied with state and municipal regulations and approved rules and regulations of the Company on file with the Public Utility Commission governing the service applied for and for the following reasons:

1. Applicant's facilities are inadequate, that is, if the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot be given; or

2. For indebtedness, that is, if the applicant is indebted to any utility for the same kind of service as that applied for, provided, however, that in the event the indebtedness of the applicant for service is in dispute, the applicant shall be served by complying with the deposit requirement in this Tariff, or if the applicant refuses to make a deposit under these rules;

3. For refusal to make a required deposit.

B. Applicant's Recourse. In the event the Company should refuse to serve an applicant under the provisions of these rules, the Company must inform the applicant of the basis of its refusal and the applicant may file a complaint with the Public Utility Commission.

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C. Insufficient Grounds for Refusal to Serve. The following shall not constitute sufficient cause for the refusal of service to a present customer or applicant:

1. Delinquency in payment for service by a previous occupant of the premises to be served;
2. Failure to pay for merchandise or charges for non-utility service purchased from the Company;
3. Failure to pay a bill to correct previous under-billing due to misapplication of rates more than six (6) months prior to the date of application;
4. Violation of the Utility's rules pertaining to operation of non-standard equipment or unauthorized attachments which interfere with the service of others, or other services such as communication services, unless the customer has first

been notified and been afforded reasonable opportunity to comply with said rules;

5. Failure to pay a bill of another customer as guarantor thereof unless the guaranty was made in writing to the Utility as a condition precedent to service; and
6. Failure to pay a bill of another customer at the same address except where the change of customer identity is made to avoid or evade payment of a utility bill.

## 7. DISCONNECTION.

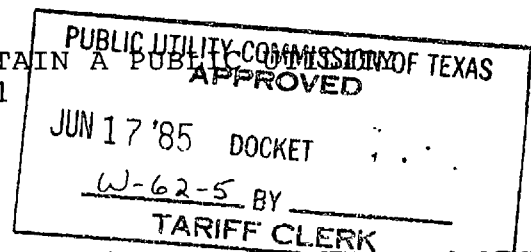
A. Sufficient Grounds for Disconnection. Utility service may be disconnected for any of the following reasons:

1. Failure to pay a delinquent account or failure to comply with the terms of a deferred payment agreement;
2. Violation of the Utility's pertaining to the use of service in a manner which interferes with the service of others or the operation of non-standard equipment if a reasonable attempt has been made to notify the customer and if the customer is provided with a reasonable opportunity to remedy the situation;
3. Failure to comply with deposit or guaranty arrangements where required herein;
4. Without notice where a known dangerous condition exists for as long as condition exists; and
5. Without notice for tampering with Utility's meter or equipment or bypassing the same.

B. Insufficient Grounds for Disconnection. Utility service may not be disconnected for any of the following reasons:

1. Delinquency in payment for service by a previous occupant of the premises;
2. Failure to pay for merchandise or charges for non-Utility service provided by the Utility;

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3. Failure to pay for a different type or class of utility service unless a fee for such service is included in the same bill;

4. Failure to pay the account of another customer as guarantor thereof, unless the Company has in writing the guaranty as a condition precedent to service; and

5. Failure to pay charges arising from an underbilling occurring due to any misapplication of rates more than six (6) months prior to the current billing;

6. Failure to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with or unless such underbilling charges are due to meter error;

7. Failure to pay estimated bill other than a bill rendered pursuant to an approved meter reading plan, unless the Utility is unable to read the meter due to circumstances beyond its control;

8. Unless a dangerous condition exists or the customer requests disconnection, service shall not be disconnected on a day, or on a day preceding a day, when personnel of the Company are not available to the public for the purpose of making collections and reconnecting service; and

9. The Company may not abandon a customer or certified service area without written notice to its customers and all similar neighboring utilities and approval from the Commission.

## 8. EMERGENCY RATIONING PROGRAM

In the event the total water supply should be insufficient to meet all of the needs of the customers, or in the event there is a shortage of water, the Utility may prorate the water available among the various customers on such basis as is deemed equitable, and may also prescribe a schedule of hours covering the use of water for gardening or similar purposes by customers and require adherence thereto to prohibit the use of water for gardening and similar purposes; provided that, if at any time the total water supply be sufficient to serve all of the needs of all of the customers, the Utility must first satisfy all of the needs of all customers for domestic purposes before supplying any water for gardening and similar purposes.

The following water rationing program is adopted for emergency use only during periods of acute water shortage.

A. Declaration of Emergency. When system demand exceeds production or storage capability measured over a twenty-four (24) hour period, and refilling the storage facilities is rendered impossible, OR when the Utility is notified by its wholesale supplier of a cutback in water to be delivered to such an extent

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that normal use patterns will no longer be possible, the Utility may declare an emergency to exist, and thereafter ration water in the following manner.

B. Notice Requirements. Written notice of the proposed rationing shall be mailed or delivered to each customer seventy-two (72) hours before the Utility actually starts the program, and shall also be placed in a local newspaper. The Utility shall send a copy of the customer notice to the Public Utility Commission (Consumer Affairs and Engineering) at the same time notice is sent to the customers. The customer notice shall contain the following information:

1. Date rationing shall begin;
2. Date rationing shall end;
3. Stage (level) of rationing to be employed; and
4. A copy of this rationing authority.

C. Stage Levels of Rationing:

1. STAGE I (Mild Rationing Conditions): Alternate day usage of water for outdoor purposes such as lawns, gardens, car washing, etc. Customers with water service on even number lots or tracts shall use water outdoors only on even numbered days. Odd number lots or tracts shall use water outdoors only on odd numbered days.

2. STAGE II (Moderate Rationing Conditions): All outdoor water usage is prohibited; however, usage for livestock is exempt.

3. STAGE III (Severe Rationing Conditions): All outdoor water usage is prohibited; livestock may be exempted by the Utility. All consumption shall be limited to each customer in one of the following ways:

a. A fixed percentage of each customer's average use in the prior month, the percentage to be uniformly applied on a system-wide basis, each customer being notified of this percentage amount, OR

b. A maximum number of gallons per meter (customer, per week), with notice to each customer of this number.

All meters shall be read as often as necessary to insure compliance with this program, for the benefit of all customers.

D. Violation of Emergency Rationing Rules.

1. First violation: The Utility may install a flow restricter in the line to limit the amount of water which will pass through the meter in a twenty-four (24) hour period. The cost to be charged to the customer's account shall be the actual installed cost to the Utility, not to exceed fifty (\$50.00) dollars.

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WOODS OF BEAR CREEK WATER CO., INC.

## SECTION B SERVICE RULES AND REGULATIONS

2. Subsequent violations: The Utility may terminate service at the meter for a period of seven (7) days or until the end of the calendar month, whichever is less. The normal re-connect fee of the Utility shall apply for restoration of service.

3. Any action authorized by a governmental or regulatory agency having authority over Utility operations.

E. Exemptions or Variances from Rationing Rules: The Utility may grant any customer an exemption or variance from the uniform rationing program for good cause. In such event, the Utility shall notify the Public Utility Commission within twenty-four (24) hours of such an exemption or variance, stating the name, address and cause for the affected customer.

A customer who is refused an exemption or variance may appeal such action to the Utility by written appeal to the Public Utility Commission. The Utility shall treat all customers equally concerning exemptions and variances, and shall not employ discrimination in such grants.

F. Rates: All existing rate schedules shall remain in effect during the rationing period and no charges may be levied against a customer which are not contained in the approved tariff of the Utility as filed with the Commission.

The purpose of this Emergency Rationing Program is to conserve the total amount of water demanded from the Utility until supply can be restored to normal levels. This rationing program shall not exceed sixty (60) days without written approval of the Public Utility Commission.

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WOODS OF BEAR CREEK WATER CO., INC.

## SECTION C            EXTENSION POLICY

No contribution in aid of construction may be required of any customer except as provided for in the following extension policy, which must be a consistent, nondiscriminatory policy which is subject to the approval of the Commission.

EXTENSION POLICY AND CHARGES

1. It is the policy of the Utility that all extensions and improvements to facilities required as a result of an application or applications for service shall be paid for by Applicant at a rate equal to the average base cost of the Utility's actual cost of materials and labor for such service connections at the time of installation as reflected in the tap fee; provided, however, that developer's of property to be ultimately subdivided into five (5) or more servicable lots shall provide contributions in aid of construction for production, storage, treatment or transmission facilities in amounts necessary to furnish the development with facilities compliant with the Texas Department of Health minimum design criteria. Payment received by the Utility for such extension or improvement shall be in addition to the tap fee or other fee requirements contained herein. Any facility so provided shall be the property of the Utility subject to the reimbursement provisions hereinafter set forth.

2. It is the policy of the Utility that all extensions and improvements to facilities required as a result of an application or applications for service out of the Utility service area shall be paid for by Applicant at a rate equal to the Utility's actual cost of materials, construction of production, storage, treatment or transmission facilities and labor for such service connections at the time of installation in amounts necessary to furnish the applicant with facilities compliant with the Texas Department of Health minimum design criteria, including reasonable administrative costs for processing, supervision and other project-related matters. Payment received by the Utility for such extension or improvement shall be in addition to the tap fee or other fee requirements contained herein. Any facility so provided shall be the property of the Utility subject to the reimbursement provisions hereinafter set forth.

3. If an applicant requests other than the standard service and meter provided by the Utility, such applicant will be required to pay all actual costs and expenses incurred by the Utility in excess of the expense that would be incurred in providing the standard service and meter.

4. The project shall conform with all applicable utility City/County requirements, specifications, and standards.

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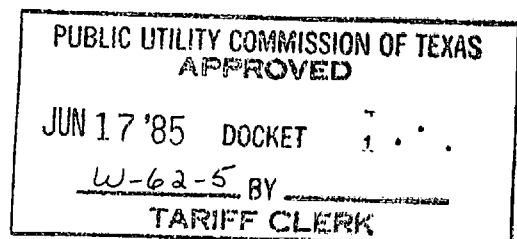
5. An applicant for service outside of the Utility service area shall certify, at the time of submission of the application, that the supporting utility system will have adequate capacity given the completion of the approach main and/or the outsized on-site lines by the applicant or that funds have been paid in an escrow account and are available for any projects required to provide the increased capacity necessary to serve the property and that the capacity will be available prior to or at the time of the connection of the property to the utility system.

6. The Utility, when rendering service to an applicant outside of the Utility service area, shall specify the number of living units that the water approach main and/or the outsized on-site lines are capable of serving, and the proposed route of such approach main and/or outsized on-site lines to serve the property.

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WOODS OF BEAR CREEK WATER CO., INC.

APPENDIX

SECTION 1: DEFINITIONS

1. "Company" or "Utility" shall mean Woods of Bear Creek Water Company.

2. "Board of Directors" means the Board of Directors of the Utility.

3. "User", "customer" and "consumer" means any person owning property and receives water from the Utility or whose property has water service available to it.

4. "Service" means the distribution of potable water to the customer and includes any and all acts done, rendered or performed in the performance of this function by the Utility.

5. "Commission" shall mean the Public Utility Commission of Texas.

6. "Governmental Agency" or "Regulatory Agency" shall mean any duly authorized agency of government having jurisdiction and/or regulatory powers over the operations of the Utility.

7. "Applicant" shall mean any person occupying or owning property inside the service area of the Utility who desires service and has made application for same.

8. "Acute Water Shortage" shall occur when firm well production falls below 250 g.p.m. for a period of five (5) days.

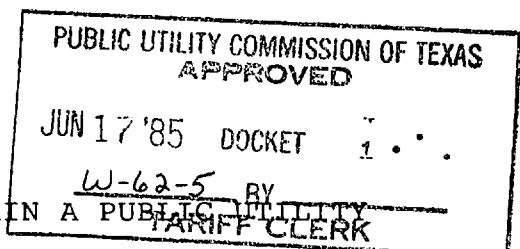
9. "Approach Main" shall mean water line(s), associated facilities and off-site improvements required to extend service from the existing utility system to a property requesting utility service. An approach main is an extension or addition to the basic City system necessary to serve the property for which utility service is sought. In all instances, where existing on-site or immediately adjacent lines or associated facilities are not to be utilized or are not sufficient to provide the necessary water service to the property, an approach main shall be required.

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WOODS OF BEAR CREEK WATER CO., INC.

APPENDIX

SECTION 1: DEFINITIONS

10. "On-site Plans" shall mean those water lines on the site of the property requesting utility service.

11. "Water Lines" shall mean approach mains and on-site lines, including all necessary appurtenances of a water distribution system inclusive of valves, manholes, taps, air releases and all other equipment necessary to make a water distribution system operable.

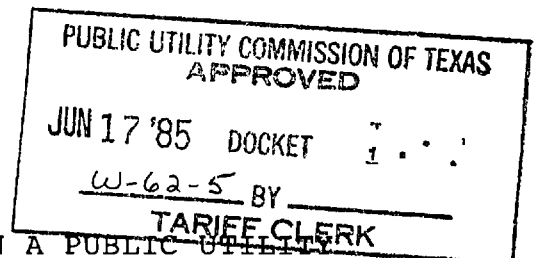
12. "Associated Facilities and Off-Site Improvements" shall mean any and all accompanying apparatus necessary to provide service to a tract. These include but are not limited to lift stations, force mains, pump stations, and storage tanks and any additions to existing facilities which serves to increase their service delivery capacity

13. "Oversized" shall mean a water line or approach main facility is oversized if it has the capacity of serving areas beyond the property requesting utility service.

14. "Outsized On-Site Lines" shall mean those water lines eight (8) inches in diameter or layer.

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