



Filing Receipt

Received - 2022-02-04 09:57:11 AM

Control Number - 53075

ItemNumber - 237

WALNUT CREEK SPECIAL UTILITY DISTRICT

CCN # 10285

PARKER AND WISE COUNTIES, TEXAS

TABLE OF CONTENTS

I.	RESOLUTION AND AUTHORITY.....	A
II.	STATEMENTS.....	B
III.	DEFINITIONS	C
IV.	GEOGRAPHIC AREA SERVED.....	D
V.	SERVICE RULES AND REGULATIONS.....	E
VI.	EXTENSION POLICY.....	F
VII.	RATES AND SERVICE FEES	G
VIII.	EMERGENCY RATIONING PROGRAM.....	H

SECTION I: RESOLUTION

RESOLVED BY THE BOARD OF DIRECTORS OF THE WALNUT CREEK SPECIAL UTILITY DISTRICT THAT:

1. This Tariff of Walnut Creek Special Utility District, serving parts of Parker and Wise counties, consisting of sections A through H inclusive, is hereby adopted and enacted as the current regulations which shall supersede all policies passed by the Board of Directors, to the extent provided in paragraph two hereof.

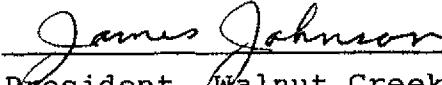
2. No prior agreement executed by the Board of Directors is repealed by any provision contained herein, save and except as provided in the terms of that agreement.

3. The adoption of the provision of this Tariff shall not affect any offense or act committed or done, or any penalty of forfeiture incurred, or any contract or vested right established or accruing before the effective date of this Tariff.

4. An official copy of the policy shall be available to the Customers of the District during regular office hours of the District. Requests for copies of this Tariff shall be subject to reproduction charges. The Secretary of the District shall maintain the original copy as approved, and clearly exhibit all additions, deletions, and amendments separately,

5. This Tariff shall take effect immediately upon its approval as provided by law, and according to its terms. Rules and regulations of state and federal agencies having applicable jurisdiction, promulgated under any applicable State or Federal Law, shall supersede any terms of this policy. If any section, paragraph, sentence, clause, phrase, word or words of this policy are declared unconstitutional or invalid for any purpose, the remainder of this policy shall not be affected thereby.

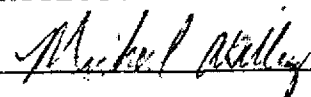
PASSED AND APPROVED



President, Walnut Creek Special Utility District

SEAL

ATTEST:



Secretary, Walnut Creek Special Utility District

SECTION II: STATEMENTS

1. **Organization.** Walnut Creek Special Utility District was organized under Chapter 65 of the Texas Water Code. Walnut Creek Special Utility District is a public utility and a political subdivision of the State of Texas. District operating policies, rates, tariffs, and regulations are formulated and effected by a Board of Directors elected by registered voters of the District.
2. **Non-Discrimination Policy.** Service of water is provided to all applicants who comply with the provisions of the Tariff regardless of race, creed, color, national origin, sex, or marital status.
3. **Rules Application.** The rules and regulations specified herein apply to the water services furnished by Walnut Creek Special Utility District, also referred to as District. Failure on the part of the customer, consumer, or applicant to observe these rules and regulations of the District, after due notice of such failure, automatically gives the District the authority to deny or to discontinue the furnishing of service as provided herein and as may be amended from time to time by the Board of Directors of the District.
4. **Fire Protection Responsibility.** Fire hydrants installed within the District's distribution system are provided at the convenience of the District and do not imply any responsibility on the part of the District to meet fire flow requirements of local, county, state, or federal governmental agencies. The District reserves the right to remove any fire hydrant, due to improper use or detriment to the system as determined by the District, at any time without notice, refund, or compensation to the contributors.
5. **Damage Liability.** The District is not liable for damages caused by service interruptions, events beyond its control, and for normal system failures. By acceptance of service, customers consent to waiver of such liability.
6. **Information Disclosure.** The records of the District shall be kept in the District office in Springtown, Texas. These records are subject to the Texas open Records Act. The records may not be removed from the District's office and the District staff reserves the right to require reasonable notice of requests for information and the opportunity to consult its governing body and/or legal counsel prior to disclosure. A reasonable charge may be assessed anyone requesting copies of records.
7. **Customer Notice Provisions.** The District shall give written notice of monthly water rate changes by mail or hand delivery to all affected customers and/or consumers at least 30 days prior to the effective date of the new rate.

DATE APPROVED February 9, 1993

WCSUD

SECTION III: DEFINITIONS

ACTIVE SERVICE - Service status of any customer receiving authorized water service under the provisions of this Tariff.

APPLICANT - Person, partnership, Cooperative Corporation, corporation, agency, public or private organization of any character applying for service with the Walnut Creek Special Utility District.

CUSTOMER - An applicant who is receiving utility service from Walnut Creek Special Utility District by the payment of the minimum monthly service charge.

BOARD OF DIRECTORS - The Board of Directors elected by the registered voters of the Walnut Creek Special Utility District.

CERTIFICATE OF CONVENIENCE AND NECESSITY (CCN) - The authorization granted under Chapter 13 of the Texas Water Code for Walnut Creek Special Utility District to provide utility service within a defined territory. Walnut Creek Special Utility District has Certificate Number 10285. Territory defined in the CCN shall be Certificated Service Area.

DISTRICT - The Walnut Creek Special Utility District.

DISCONNECTION OF SERVICE - The locking or removal of a water meter to prevent the use of water by a customer/consumer.

EASEMENT - A private perpetual dedicated right-of-way for the installation of water pipelines and necessary facilities, which allows access to property for future maintenance, facility replacement, and/or installation of additional pipelines (if applicable).

FINAL PLAT - A complete and exact plan for the subdivision of a tract of land into lots for marketing which has been approved by all regulatory agencies having jurisdiction over approval of the design, planning, and specifications of the facilities of such subdivision.

HAZARDOUS CONDITION - A condition that jeopardizes the health and welfare of the customer/consumer of the District as determined by the District or regulatory authority.

LIQUIDATED DEPOSIT - A deposit, which has been canceled due to delinquent charges exceeding the Deposit fee or for other reasons as specified in this Tariff. Service shall not be provided to any person whose deposit fee has been liquidated until a new deposit fee has been paid and all other applicable requirements for service as provided in this Tariff have been satisfied.

FIRST ORIGINAL SHEET NO. C - 2

MINIMUM MONTHLY SERVICE CHARGE – The term minimum monthly service charge (proper name) is used to define the monthly charge assessed each customer of the District utilizing service of each customer who has the opportunity to utilize service via a metering device installed by the District. In the Text of this Tariff, minimum monthly charge (common name) may be generically to describe Minimum Monthly Service Charge; the monthly charge assessed each customer entitled to service.

RE-SERVICE – Providing service to an Applicant at a location for which service previously existed, but where deposit has been liquidated and now requires the fitting of a metering device into an existing setting and possibly requiring modifications to the setting in order to restore service. Cost of re-servicing shall be based on justifiable and reasonable costs to the District for restoration of service.

SERVICE CLASSIFICATION – A type of service which warrants a specific charge for service based on specific criteria such as usage, meter size, demand, type application, etc. as determined by the District upon evaluation of the service requirements of the Applicant or Customer.

SERVICE APPLICATION AND AGREEMENT – A written agreement between the Customer/Applicant and the District outlining the responsibilities of each party regarding the service of water.

TARIFF – The District's published rates, fees and conditions of service.

DATE APPROVED February 9, 1993

WCSUD

FIRST ORIGINAL SHEET NO. D-1

SECTION IV: GEOGRAPHIC AREA SERVED

Walnut Creek Special Utility District serves an area certificated by Certificate of Convenience and Necessity #10285. This area includes parts of Parker & Wise County.

DATE APPROVED February 9, 1993

WCSUD

SECTION V: SERVICE RULES AND REGULATIONS

1. **Service Entitlement.** An applicant shall be considered fully qualified and entitled to water service when proper application has been made, terms and conditions of service have been met and continue to be met, and all fees have been paid as prescribed by this Tariff.
2. **Application Procedures and Requirements.** For the purposes of this Tariff, service requested by an Applicant and provided by the District shall be divided into the following two (2) classes:
 - a. **Standard Service** is defined, as service on an existing pipeline where pipeline or service facility extensions are not required and special design and/or engineering considerations are not necessary. Typically, this would include only 5/8" X 3/4" to 3/4" sized meter services set on existing pipelines.
 - b. **Non-Standard Service** is defined as any service applied for which is not Standard Service. In addition to the following requirements for service, service requirements as prescribed by Section F of this Tariff shall be required of the Non-Standard Service Applicant prior to extension of such pipelines, and/or service facilities.
 - c. **Requirements for Standard and Non-Standard Service**
 - (1) The District's Service Application and Agreement form shall be completed in full and signed by the applicant.
 - (2) The applicant for the purpose of allowing future extensions of facility additions to improve or provide service to future applicants must complete a Right-of Way Easement form, approved by the District. NOTE: This requirement may be delayed for Non-Standard Service requests.
 - (3) All Service Applications approved and cost of service fees quoted by the District shall be presented to the applicant in writing and shall stand approved at quoted costs for a period not to exceed thirty (30) days. After thirty (30) days, each applicant shall re-apply for service under the terms of this Tariff.
3. **Activation of Standard Service.**
 - a. **New Tap** – The District shall charge a non-refundable service installation and inspection fee as required under Section G of this Tariff. The service installation fee shall be quoted in writing to the applicant. All other fees shall be paid in advance of installation or in advance of reservation of service capacity including, as applicable, the deposit fee, and easement fees, etc. as required under Section G of this Tariff.

- b. Re-Service – On property where service previously existed, the District shall charge the deposit fee and labor and material costs necessary to restore service.
 - c. Performance of Work – After all applicable fees are paid and approval is granted by proper authorities, all tap and equipment installations specified by the District shall be completed by the District staff or the District's designated representative.
4. Activation of Non-Standard Service.
- a. Activation of Non-Standard Service shall be conducted as prescribed by terms of Section F of this Tariff.
 - b. Re-Service- The same terms that applies under the Activation of Standard Services Sub-Section on Re-Servicing shall be applied to Non-Standard Re-Service requests.
5. Changes in Services Classification. If at any time the District determines that the customer service needs change from those needs originally applied for to a different service classification and the District determines that additional or different facilities are necessary to provide adequate service, the District shall require the applicant/customer to re-apply for service under the terms and conditions of this Tariff. Applicant/Customer failing to comply with this provision shall be subject to the Disconnection with Notice Provisions of this Tariff, Sub-Section 10.
6. Denial of Service. The District may deny service for the following reasons:
- a. Failure of the Applicant to complete all required forms and pay all required fees and charges;
 - b. Failure of the Applicant to comply with rules, regulations, policies of the District and Texas Water Commission.
 - c. Existence of a hazardous condition at the Applicant's property which would jeopardize the welfare of the Customer of the District upon connection;
 - d. Failure of Applicant to provide representatives or employees of the District reasonable access to property for which water service has been requested when there is reason to believe that a hazardous condition may exist for which access is necessary to verify;
 - e. Failure of Applicant to comply with all governmental rules and regulations of the District on file with the state regulatory agency governing the service applied for by the Applicant;

- f. Applicant's service facilities are known to be inadequate or of such character that satisfactory service cannot be provided;
 - g. If the Applicant refuses to make a deposit under these rules;
 - h. Applicant's refusal to pay balance owed for previous service by the District.
7. Deferred Payment Agreement. The District may offer a deferred payment plan to a Customer who cannot pay an outstanding balance in full and is willing to pay the balance in reasonable installments as determined by the District, including any late penalty fees or interest on the monthly balance to be determined as per agreement.
8. Charge Distribution and Payment Application
- a. The minimum monthly service charge or the reserved service charge is applied from the first day of the billing cycle to the last day of the billing cycle. Billings for this amount shall be mailed on or about the twenty-fifth of the month preceding the month for which this charge is due and payable on the 1st of the month. All services shall be subject to this charge whether or not the service is in use by the Customer.
 - b. Consumption charge defined as water usage in excess of the water allotment included in the minimum monthly service charge, shall be billed at the rate specified in Section G, and shall be billed in one hundred (100) gallon increments. Water charges for usage exceeding the monthly allotment are based on monthly meter readings and are calculated from reading date to reading date. Readings used in all billing calculations shall be taken by the District's employees or designated representative.
 - c. Posting of Payments -- All payments shall be posted against previous balances prior to posting against current billings.
9. Due Dates, Delinquent Bills, and Service Disconnection Date. The District shall mail all bills on or about the twenty-fifth of the month. All bills shall be due on the 1st as indicated on the bill (allowing approximately fifteen (15) days to pay, after which time a penalty shall be applied as described in Section G. A bill is delinquent if not paid by the due date. Payments made by mail will be considered late if received after the due date. Final or disconnect notices shall be mailed allowing five (5) additional days for payment prior to disconnection. The five (5) additional days shall begin on the day the final notice is deposited with the U.S. Postal Service with sufficient postage. If the due date for the regular or final billing is on a weekend or holiday, the next due date for payment purpose shall be the next day the District office is open for business after said weekend or holiday.

10. Rules for Disconnection of Service. The following describes the rules and conditions for disconnection of service.

- a. Disconnection With Notice – Water utility service may be disconnected for any of the following reasons after proper notification has been given:
- (1) Returned Checks – In the event a check, draft, or any other similar instrument is given by a person, firm, corporation, or partnership to the District for payment of services provided for in this Tariff, and the instrument is returned by the bank or other similar institution as insufficient or non-negotiable for any reason, the District shall mail, via the U S Postal Service a notice requiring redemption of the returned instrument within ten (10) days of the date of the notice to be made in the District's office. Redemption of the returned instrument shall be made by cash, money order, or certified check. Failure to meet these terms shall initiate disconnection of service.
 - (2) Failure to pay a delinquent account for utility service or failure to comply with the terms of a deferred payment agreement.
 - (3) Violation of the District's rules 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 the customer is provided a reasonable opportunity to remedy the situation.
 - (4) Failure of the Customer to comply with the terms of the District's Service Agreement, Tariff, or Special Contract provided that the District has given notice of said failure to comply, and customer has failed to comply within a specified amount of time after notification.
 - (5) Failure to provide access to the meter under the terms of this Tariff or to property at which water service is received when there is reason to believe that a hazardous condition or policy violation exists for which access is necessary to verify.
 - (6) Misrepresentation by any Applicant of any fact on any form, document, or other agreement required to be executed by the District.
 - (7) Failure of Customer to re-apply for service upon notification by the District that Customer no longer meets the terms of the service classification originally applied for under the original service application.

- b. Disconnection Without Notice - Water utility service may be disconnected with out notice for any of the following conditions.
- (1) A known dangerous or hazardous condition exists for which service may remain disconnected for as long as the condition exists, or there is reason to believe a dangerous or hazardous condition exists and the Customer refuses to allow access for the purpose of confirming the existence of such condition and/or removing the dangerous or hazardous condition.
 - (2) Service is connected without authority by a person who has not made application for service or who has reconnected service without authority following termination of service for non-payment.
 - (3) In instances of tampering with the District's meter or equipment, by-passing the meter or equipment, or other diversion of service.
11. Billing Cycle Changes. The District reserves the right to change its billing cycle if the work load requires such practice. After a billing period has been changed, the billings shall be sent on the new change date unless otherwise determined by the District.
12. Back-billing. The District may back-bill a Customer for up to six months (6 months) for meter error, misapplied meter multiplier, incorrect meter readings, or error in computing a customer's bill. Failure to pay the most recent six (6) months billing may result in disconnection of service and the re-establishment of credit.
13. Disputed Bills. In the event of a dispute between the Customer and the District regarding any bill, the District shall forthwith made and conduct an investigation as shall be required by the particular case, and report the results in writing thereof to the Customer. All disputes must be submitted to the District in writing, prior to the due date posted on said bill.
14. Inoperative Meters. Water meters found inoperative will be repaired or replaced within a reasonable time. If a meter is found not to register for any period, unless by-passed or tampered with, the District 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.
15. Bill Adjustment Due to Meter Error. The District shall test any Customer's meter upon written request of the Customer. In the event the meter test within the accuracy standards of the American Water Works Association, a test fee as prescribed in Section G of this Tariff shall be imposed.

In the event the test results indicate that the meter is faulty or inaccurate, the test fee shall be waived, the meter shall be calibrated or replaced, and a billing adjustment may be made as far back as six (6) months. The billing adjustment shall be made to the degree of the meter's inaccuracy as determined by the test.

16. Meter Tampering and Diversion. For purposes of these Sections, meter-tampering, by-passing, or diversion shall all be defined as tampering with the District's meter or equipment, by-passing the same, or other instances of diversion such as removing a locking or shut-off device used by the District to discontinue service, physically disorienting the meter, attaching objects into the meter and other electrical and mechanical means of tampering with, by-passing, or diverting service.
17. Prohibition of Multiple Connections To A Single Tap. In order that the District may maintain adequate records of the actual number of users on its system to assure compliance with the Texas Commission on Environmental Quality on minimum service standards, to ensure that charges are received for each user on the system, to ensure that charges are received for each user on the system, and to ensure that the District's metering device is adequately sized for proper flow and accurate measurement of water used, all connections of any dwelling, household, business, and/or water-consuming establishment currently receiving or planning to receive water service, either directly or indirectly from the District's water system, shall individually apply for service under the rules of this Tariff. Any unauthorized sub-metering of service shall be considered a Multiple Connection and subject to disconnection of service. If the District has sufficient reason to believe a Multiple Connection exists, the District shall discontinue service under the Disconnection with Notice provisions of this Tariff.
18. Customer's Responsibility.
 - a. The customer shall provide access to the meter at all reasonable times for the purpose of reading, installing, checking, repairing, or replacing the meter. Customer shall provide a key to locked gates. If the gate to the Customer's premises is locked preventing the reading of the meter, an estimated bill shall be rendered to the Customer for the month; and a notice shall be sent to the effect that entrance could not be gained and that a key should be furnished or the gate unlocked for each reading period. Should the gate remain locked for three (3) consecutive months after proper notification to the Customer, then service may be discontinued and the meter removed with no further notice.
 - b. The Customer shall see that all plumbing connections shall be made to comply with the Texas Commission on Environmental Quality.
 - (1) All connections shall be designed to ensure against back-flow or siphonage into the District's water supply. In particular, livestock water troughs shall be plumbed above the top of the trough with air space between the discharge and the water level in the trough.
 - (2) The use of pipe fittings that contain more than 8.0% lead or solder and flux that contain more than 0.2% lead is prohibited for any plumbing installation or repair of any residential or non-residential facility providing water for human consumption and connected to the District's facilities.

- c. The District's ownership and maintenance responsibility of water supply and metering equipment shall end at the point where the Customer connects to the equipment provided by District during the installation of the metering equipment. Therefore, all water usage registering upon and/or damages occurring to the metering equipment owned and provided by the District shall be subject to charges as determined by the District's Tariff as amended from time to time by the Board of Directors.

DATE APPROVED February 9, 1993

WCSUD

FIRST ORIGINAL SHEET NO. F- 1

1. District's Limitations. All applicants shall recognize that the District must comply with local, state, and federal rules and regulations as promulgated from time to time, and by covenants of current indebtedness.
2. Purpose. The purpose of this Section is to govern agreements and service procedures for subdivisions, or developments where service to more than one tract is necessary; and/or additional piping, service facilities, etc. are required to accommodate individual, multiple, commercial, or industrial Applicants. For the purposes of this Tariff Applications subject to this Section shall be defined as Non-Standard.
3. Non-Standard Service Application. The Applicant shall meet the following requirements prior to the initiation service by the District.
 - (a) The applicant shall provide the District a written request for service. Special attention shall be given to location of property, size of development and number of tracts to be served.
 - (b) A final plat approved by the District must accompany the application showing the Applicant's requested service area. The plat must be approved by all regulatory authorities having jurisdiction over lot sizes, sewage control, drainage, right-of-way, and other service facilities. Plans, specifications, and special requirements of such regulatory authorities shall be submitted with the plat. Applicant's for single taps involving extension or upsizing of facilities may be required to submit maps or plans detailing the location of the requested extension and details of demand requirements.
 - (c) If after the service application has been completed, and the District determines that the Applicant's service request is for property outside the District's Certificated Service Area of Public Convenience and Necessity, service may be extended provided that;
 - (1) The service location is contiguous to or within 200 feet of the District's Certified Service Area of Public Convenience and Necessity;
 - (2) The service location is not in an area receiving similar service from another utility; and
 - (3) The service location is not within the Area of Public Convenience and Necessity of another similar utility.
4. Design. The District Manager & District Engineer shall study the design requirements of the Applicant's required facilities. Prior to initiation of a Service Agreement by adopting the following schedule:
 - (a) The District's Consulting Engineer shall design all service facilities for the Applicant's requested services within the District's specifications or within certain codes and specifications of neighboring municipalities for all Non-Standard Service Applications, which lie within a five (5) mile margin around the boundaries of municipalities having jurisdiction over such design criteria (municipalities with a population greater than five thousand (5000)).

DATE APPROVED February 9, 1993

WCSUD

- (b) The Engineer's fees shall be paid by the applicant.
 - (c) The Consulting Engineer shall submit to the District a set of detailed plans, specifications, and cost estimates for the project.
 - (d) If no local authority imposes other design criteria on the Applicant's service request, the District's Engineer shall design all facilities for any Applicant to meet the demand for service as platted and/or requested in the plans or plat submitted in application for service. The District reserves the right to upgrade design or service facilities to meet future demands, provided however, that the District pays the expense of such upgrading above the Applicant's facility requirements.
5. Property and Right-of-way Acquisition. With regard to construction of facilities, the District shall require private right-of-way easement or private property as per the following conditions;
- (a) If the District determines that right-of-way easements or facility sites outside the Applicants property are required, the District shall require the Applicant to secure easements or title to facility sites in behalf of the District. All right-of-way easements and property titles shall be researched, validated, and filed by the District at the expense of the Applicant.
 - (b) The District shall require an exclusive dedicated right-of-way on the Applicant's property (as required by the size of the planned facilities and as determined by the District) and title to property required for other on-site facilities.
 - (c) Easements and facility sites shall be prepared for the construction of the District's pipelines and facility installations in accordance with the District's requirements and at the expense of the Applicant.
6. Construction. Pipeline construction and facility installations for a non-standard service may be installed by District personnel or by a contractor approved by the District.
- (a) Proper design of the proposed facilities may require "off-site" construction. The District shall determine the tie-in points for the proposed facilities.
 - (b) The Applicant shall be required to pay all costs associated with the installation of the facilities. These costs shall include materials, equipment, labor, legal fees, inspection fees, design or engineering fees.
 - (c) A written estimate will be presented to applicant before construction. The District will require payment of one half the estimated cost of construction in advance.
 - (d) The District shall have ownership of facilities installed and shall be responsible for the maintenance thereof.

SECTION VII: RATES AND SERVICE FEES

Unless specifically defined in this Tariff, all fees, rates and charges as herein stated shall be non refundable.

1. **Deposit.** At the time the application for service is made a deposit of \$100.00 must be paid for each lot/tap or meter equivalent before service shall be provided or reserved for the Applicant by the District. This fee is refundable at termination of service when balances are paid.
2. **Easement Fee.** When the District determines that private right-of-way easements and/or facilities sites are necessary to provide service to Applicant. The Applicant shall be required to secure easements in behalf of the District and/or pay all costs incurred by the District in validating, clearing, and retaining such right-of-way in addition to tap fees otherwise required pursuant to the provisions of this Tariff. The cost and/or facilities sites in behalf of the Applicant.
3. **Installation, Tap and Inspection.** The District shall charge an installation fee for service as follows:
 - (a) A \$550.00 installation, tap and inspection fee shall be paid when application for service is made. This includes such materials and labor required to make installation on existing water main or a standard service. This fee is not refundable.
 - (b) Non-Standard Service shall include any and all construction labor and materials, administration, legal, and engineering fees, as determined by the District under the rules of this Tariff.
 - (c) Re-establishment of service fee of \$125.00 is charged by the District where a meter and service has previously existed but has been discontinued and meter removed.
4. **Monthly Charges:**
 - (a) Minimum monthly charge – The monthly charge for metered water service for the first 2,000 gallons used in any one (1) billing period is as follows:
 1. ¾" meter 24.50
 2. 1" meter 35.75
 3. 1½" meter 55.12
 4. 2" meter 73.50
 5. 3" meter 269.50
 6. 4" meter 343.00
 - (b) In addition to the minimum monthly charge, a gallon charge in any (1) billing period as follows:
 1. 2,001 to 10,000 4.50 per thousand gallon
 2. 10,001 to 20,000 4.85 per thousand gallon
 3. over 20,000 5.25 per thousand gallon
5. **Late Payment Fee.** A penalty of \$8.00 per billing period shall be made on delinquent bills. This late payment penalty shall be applied to any unpaid balance exceeding ½ a Minimum Monthly or Reserved Service Charge during any one billing period.

SECOND REVISED SHEET NO G - 2

6. Returned Check Fee. In the event a check, draft, or any other similar instrument is given by a person, firm, corporation, or partnership to the District for payment of services provided for in this Tariff, and the instrument is returned by the bank or other similar institution as insufficient or non-negotiable for any reason the account for which the instrument was issued shall be assessed a return check charge of \$25.00.
7. Reconnect Fee. The District shall charge a reconnect fee of \$35.00 during office hours (8 am - 5pm) and \$50.00 after hours and weekends for reconnection or turn on, where service has been discontinued for non-payment.
8. Service Trip Fee - (Collection) Should District personnel be required to make a service call to collect a past due bill a \$20.00 service fee will be applied.
9. Equipment Damage Fee. If the District's facilities or equipment have been damaged by tampering, by-passing, installing unauthorized taps, reconnecting service without authority, or other service diversion, a fee shall be charged equal to the actual costs for all labor, material, and equipment necessary for repair, replacement, and other District actions. This fee shall be charged and paid before service is re-established. If the District's equipment has not been damaged, a fee equal to the actual costs for all labor, material, equipment, and other actions necessary to correct service diversion unauthorized taps, or reconnection of service without authority shall be charged. All components of the fee will be itemized, and a statement shall be provided to the Customer. If the District's facilities or equipment have been damaged due to negligence or unauthorized use of the District's equipment, right-of-way, or meter shut-off valve, or due to other acts for which the District incurs losses or damages, the Customer shall be liable for all labor and material charges incurred as a result of said acts or negligence.
10. Meter Test Fee. The District shall test a customer's meter upon written request of the Customer. There will be no charge for the test if the meter has been in place over two (2) years (24 months) and there has not been a test performed within the last two (2) years (24 months). Under the terms of this Tariff, a service charge will be assessed a \$35.00 fee.
11. Re-service for plumbing inspection: A \$35.00 service fee will be charged to turn on or reconnect for inspection. This is to be a temporary service. One Day Only. This fee does not include charges for water used.
12. Service Calls Requested by Customer. A \$35.00 service fee will be charged when a call is initiated by the Customer and no fault of the District's is found for the following:
 - (a) Assistance in locating meter.
 - (b) Assistance to shut off water due to leak on customer side.
 - (c) When customer disputes reading at time of billing unless the error falls to the District.

DATE APPROVED June 18, 2002

WCSUD

SECTION VIII: EMERGENCY RATIONING PROGRAM

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

1. Declaration of Emergency. When a 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 District is notified by its wholesale supplier of a cut-back in water to be delivered to such an extent that normal use patterns will no longer be possible, the District may declare an emergency to exist, and thereafter ration water in the following manner.
2. Notice Requirements. Written notice of the proposed rationing shall be mailed or delivered to each affected Customer seventy-two (72) hours before the District actually starts the program, and shall also be placed in a local newspaper. The Customer notice shall contain the following information.
 - (a) The date rationing shall begin;
 - (b) The date rationing shall end;
 - (c) The stage (level) of rationing to be employed;
 - (d) A copy of this rationing authority; and
 - (e) Affected areas to be rationed.
3. Stage Levels of Rationing.
 - (a) Stage I (Mild Rationing Conditions) Alternate day usage of water for outdoor purposes such as lawns, gardens, car washing, etc. The provisions for alternate day use shall be specified by the District in the written notice.
 - (b) Stage I-A (Limited Water Usage) The District may limit water usage to a gallonage determined by the water plant's mechanical capability to provide continuous service in direct proportion to the loss of production/re-fill capability at a plant where no back-up facilities are available to remedy the shortage prorated over all Customers served by the water plant. Water restrictors may be installed for Customers that exceed the limited gallonage determined by the system's mechanical capability. A flow restrictor shall be installed at the Customer's expense (not to exceed actual costs or \$50.00). Tampering with the flow restrictor will result in water service termination for seven (7) days. The normal Reconnection Fee (Service Trip Fee) of the District shall apply for restoration of service. The maximum number of gallons per meter per month shall be contained in the notice to each Customer.
 - (c) Stage II (Moderate Rationing Conditions) All outdoor water usage is prohibited; however, usage for livestock is exempt.
 - (d) Stage III (Severe Rationing Conditions) All outdoor water usage is prohibited; livestock may be exempted by the District. All consumption shall be limited to each Customer in one of the following ways:

DATE APPROVED February 9, 1993

WCSUD

FIRST ORIGINAL SHEET NO. H - 2

- (1) 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,
- (2) A maximum number of gallons per meter (Customer) per week, with notice to each Customer of this number.

Total percentages under item 1 or maximum number of gallons under item 2 above shall be calculated not to exceed 80% of the system's current production/re-fill capability for the area being rationed.

4. Violation of Emergency Rationing Rules.

- (a) First Violation – The District may install a flow restrictor 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 District, not to exceed \$50.00.
- (b) Subsequent Violations -- The District 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 service trip fee of the District shall apply for restoration of service.

5. Exemptions or Variances From Rationing Rules. The Board of Directors may grant any Customer an exemption or variance from the uniform rationing program, for good cause. The District shall treat all Customers equally concerning exemptions and variances, and shall not employ discrimination in such grants.
6. Rates. All existing rate schedules shall remain in effect during the rationing period, and no charges may be leveled against a Customer, which are not contained in the approved Tariff of the District.

The purpose of this Emergency Rationing Program is to conserve the total amount of water demanded from the District until supply can be restored to normal levels. This rationing program shall not exceed sixty (60) days without extension by the Board of Directors.

DATE APPROVED February 9, 1993

WCSUD



Walnut Creek Special Utility District

P.O. Box 657
1155 Hwy. 199 West
Springtown, Texas 76082
(817) 220-7707
(817) 523-4463
Fax (817) 523-0359

October 23, 2002

TECQ
Utility District Section
P O Box 13087
Austin, Texas 78711-3087

Re: Revised Tariff submitted by Walnut Creek Special Utility District for Certificate of Convenience and Necessity Number 10285 in Parker and Wise Counties

To Whom It May Concern:

Walnut Creek Special Utility District is submitting a complete copy of our Tariff with revisions applied to the following pages: E -3, G -1 and G -2. The Board of Directors approved changes on June 18, 2002; we are also enclosing a copy of the approved minutes. Should you need additional information please contact our office.

Respectfully Submitted,
Walnut Creek Special Utility District

A handwritten signature in cursive script that reads 'Paula Spence'.

Paula Spence
Office Manager

RECEIVED

OCT 25 2002
UTILITY & ENERGY
OVERSIGHT



Walnut Creek Special Utility District

P.O. Box 657
1155 Hwy. 199 West
Springtown, Texas 76082
(817) 220-7707
(817) 523-4463
Fax (817) 523-0359

MINUTES OF THE
BOARD OF DIRECTORS MEETING
June 18, 2002

The Board of Directors of the Walnut Creek Special Utility District held a special called meeting, June 18, 2002 at 7: p.m. Notice of the time, place and subject matter of the meeting and action to be taken was posted as required by law.

The following Officers and Directors of the district were present:

James Ray Johnson, President
Michael Gilley, Secretary
Lloyd Sisk, Director
Jerry Dewesse, Director
Ray Smith, Director
Jerry Holsomback, General

1. James Johnson, President at 7:05 PM, called meeting to order.
2. Jerry Dewesse made a motion to approve the minutes from the May 14th meeting, Ray Smith noted that there were misspelled words, correction being noted then seconded the motion to approve minutes as corrected. Motion carried.
3. Jerry Dewesse made a motion that the Income and Expense reports be approved with a second from Michael Gilley. Motion carried.
4. Motion was made by Lloyd Sisk to approve the Directors reports second by Ray Smith. Motion carried.
5. Jerry Holsomback presented the board with various fee changes (Late Fee, Meter Installation, and Service Call) as well as a rate increase. Jerry stated that the late fee and meter installation fees currently being charged are less than the surrounding area utilities and are not covering the associated costs such as postage, notices, meters etc. The current late fee is \$4.00 requested increase to \$8.00; meter installation current rate \$400.00 increase to 550.00. In addition to these fees the base bill is currently 21.50 to be raised to 24.50. The past due date will change form the 20th to the 15th of each month. Jerry Dewesse made a motion that the increases and due date change be accepted, to be effective September 2002. Seconded by Mike Gilley, motion carried. (See attached schedule of rate and fee changes.)
6. Open forum-no action was necessary
7. No action
8. With no other action brought before the board, Mike Gilley made a motion to adjourned meeting at 8:20 P.M. second by Ray Smith motion carried.

MEETING ADJOURNED


Mike Gilley, Secretary/Treasurer