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11519

NAME OF UTILITY: Dayton-Kenefick Recreation, Inc.
LOCATION OF PRINCIPAL OFFICE: Route 1, Box 501
Dayton, Texas 77535
TYPE OF SERVICE RENDERED: Water Service
TERRITORY WHERE SCHEDULE IS APPLICABLE: Dayton Lake Estates Subdivision
Liberty County, Texas
EFFECTIVE DATE: January 1, 1979
REVISION NUMBER: Original



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PUBLIC UTILITY COMMISSION OF TEXAS	
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MAR 26 '79	DOCKET
FILE W-37-9	BY <i>g</i>
TARIFF CLERK	

W-37-9

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EFFECTIVE DATE:
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Dayton-Kenefick Recreation, Inc.
Water
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SECTION 1.0

DEFINITIONS

- 1.01 User, customer or consumer means an individual or Corporation who purchases water service.
- 1.02 Utility means Dayton-Kenefick Recreation, Inc..
- 1.03 Commission means the Public Utility Commission of Texas.
- 1.04 Other Regulatory Agency means the Texas Department of Health Resources, United States Environmental Protection Agency, and such other agencies as may now or in the future exercise regulatory authority in the operation of the Utility.
- 1.05 Service means the actual delivery of water to the customer and it includes any and all acts done, rendered, or performed in the delivery of water by the Utility.
- 1.06 Standard Meter means a 5/8", 5/8"X 3/4", 3/4" or 1" meter.

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SECTION 2.0

UTILITY OPERATIONS

2.01

The Utility's operation consists of providing water service to Lake Dayton Estates Subdivision. Water service is provided on a continuous basis from a central location, and the service is so designed to provide a quality product to all users at all times.

Additional operations of the Utility relate to maintaining the water distribution system by making necessary repairs or improvements as they are deemed to be required by the Utility or as they are requested by our customers.

2.02

Statement of Non-discrimination Policy
Utility service is provided to all applicants who comply with the provision of the tariff regardless of race, color, creed, sex or marital status.

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SECTION 3.0

SERVICE TERRITORY

3.01

The service territory to which this tariff applies consists of the following area:

Dayton Lake Estates Subdivision
Liberty County, Texas

3.02

The service territory is located in the central sector of Liberty County, Texas.

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SECTION 4.0

RATE SCHEDULE

(Non-Metered)

4.01

The rate schedule for the captioned Utility consists of a tap fee and a monthly minimum charge. The Utility does not provide for meters to be placed on any connections, therefore, all billing is conducted on a monthly standard rate which is paid by all users.

Tap Fee: \$200.00

The tap fee is paid as follows: At the time the property owner connects to the water system.

Minimum Monthly Rate: \$7.00 for lot with dwelling.
\$5.00 for vacant lot with tap into system.
\$1.00 stand-by charge for lots not tapped into system.

The monthly rate is to be paid in quarterly payments, and will be billed as follows: January 1, April 1, July 1 and October 1 of each year.

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SECTION 4.0

RATE SCHEDULE

(Metered)

4.02

None. At the time of filing this tariff, no connections have meters. A "metered" rate tariff will be filed at such time as metered service may be available.

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SECTION 5.0

SERVICE RULES AND REGULATIONS

5.01 NEW TAPS AND SERVICES

A. Non-Metered Service

After proper application is made by the applicant and receipt by the Utility of applicable tap fees, the Utility shall install the necessary and proper line connection (non-metered) at a mutually agreeable point adjacent to the member's property, at the utility main. In the event that the Utility main does not have sufficient capacity to serve the new applicant with water service without reducing service to existing customers below regulatory standards, the applicant shall, in addition to paying the regular tap fee, pay for such additional facilities as may be required to provide the service, and any facilities so provided will be the property of the Utility.

B. Metered Service

Metered service, when available, will be based upon water consumption, measured through the customer's water meter as described in the approved tariff.

C. Payment of Due Amounts

Every applicant who previously has been a customer of the Utility and whose service has been discontinued for nonpayment of bills shall be required before service is rendered to pay all amounts due the Utility, plus any reconnection fees which may be in effect in an approved tariff of the Utility at the time of reconnection.

D. Requests for Non Standard Service

If an applicant requires other than the standard service and meter 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. Any agreement pertaining to non-standard service must be approved by the Public Utility Commission prior to their becoming effective.

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SECTION C EXTENSION POLICY

A charge for extension of service into areas not previously served by the Deer Creek Ranch Water System is made on the basis of cost. Pro rata charges are made if more than one customer is involved and requesting such service. If service is provided into such an area with other users subsequently requesting taps, refunds on a pro rata basis are made to original customer after such pro rata charges are paid by said subsequent users.

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E. Refusal of Service

(a) Compliance by Applicant

The Corporation may decline to serve an applicant until such applicant has complied with the State and Municipal regulations and approved rules and regulations of the Utility on file with Commission governing the service applied for or for the following reasons:

- (1) Applicant's facilities inadequate: 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: If the applicant is indebted to any utility for the same kind of service as that applied for.
- (3) Refusal to make deposit: If the applicant refuses to meet the deposit requirement as may be spelled out in an approved tariff of the Utility at the time the requirement for the deposit is made.

(b) Applicant's Recourse

In the event that the Utility shall refuse to serve an applicant under the provisions of these rules, the Utility must inform the applicant of the basis of its refusal and that the applicant may file a complaint with the Commission thereon.

(c) Insufficient Grounds for Refusal to Serve

The following shall not constitute sufficient cause for 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 Utility;
- (3) Failure to pay a bill to correct previous underbilling due to misapplication of rates more than six months prior to the date of application;

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- (4) Violation of the Utility's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interfere with the service of others 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 guarantee was made in writing to the Utility as a condition precedent to service;
- (6) Failure to pay the 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.

5.02 BILLINGS

Bills for water service shall be rendered monthly unless otherwise authorized by the Commission or unless service is rendered for a period of less than a month. Payment of bill is due fifteen (15) days after issuance of the bill. A member's water service may be disconnected if the bill has not been paid within twenty (20) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a mailing or hand delivery at least five (5) days prior to a stated date of disconnection. Bills shall be paid by mailing a check or money order to the address noted on the bill on a date that will insure receipt through normal mail, of the payment by the utility on or before the due date.

5.03 DISPUTED BILLS

In the event of a dispute between the customer and the Utility regarding any bill, the Utility shall forthwith make such investigation as shall be required by the particular case, and report the results thereof to the customer.

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5.04 METER READINGS

- A. Each customer's water meter will be read once a month by employees of the Utility unless service is rendered for less than a month. Meters will be read as nearly as possible on the corresponding day of each reading period, but meters may be read at other than monthly intervals if the circumstances warrant. In months where the meter reader is unable to gain access to the premises of the customer to read the meter on regular meter reading trips, the Utility will provide the customer with a postcard and request that the customer read the meter and mail the card to the Utility. If such postcard is not received by the Utility in time for billing, the Utility may estimate the meter reading and render a billing accordingly.
- B. For non-metered service customers, no meter reading is taken. All billing is rendered on the basis of the monthly rate in effect at the time of the billing.

5.05 METER TESTS ON REQUEST OF CUSTOMER

The Utility shall, upon the request of a customer, and, if he so desires, in his presence or in that of his authorized representative, make without charge a test of the accuracy of the customer's meter. 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. The test shall be made preferably on the customer's premises, but may, at the Utility's discretion, be made at the Utility's test laboratory. If the meter has been tested by the Utility, or by an authorized agency, at the customer's request, and within a period of four years the customer requests a new test, the Utility shall make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the Utility may charge the customer a fee which reflects the cost to test the meter, but this charge shall in no event be more than fifteen dollars (\$15.00) for a residential customer. Following the completion of any requested test, the Utility shall 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.

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5.06 BILL ADJUSTMENT DUE TO METER ERROR

If any meter is found to be outside of the accuracy standards established by the American Water Works Association, proper correction shall be made of previous readings for the period of six months immediately preceding the removal of such meter from service for test, or from the time the meter was in service since last tested, but not exceeding six months, as the meter shall have been shown to be in error by such test, and adjusted bills shall be rendered. No refund is required from the Utility except to the customer last served by the meter prior to the testing. If a meter is found not to register for any period, unless bypassed or tampered with, the Utility shall make a charge for units used, but not metered, for a period not to exceed three months based on amounts used under similar conditions during periods preceding or subsequent thereto, or during corresponding periods in previous years.

5.07 DISCONTINUANCE OF SERVICE

- A. The due date of the bill for utility service shall not be less than fifteen (15) days after issuance. A bill for utility service is delinquent if unpaid by the due date.
- B. A one-time penalty not to exceed five percent (5%) may be made on delinquent commercial or industrial bills; however, no such penalty shall apply to residential bills under this rule.
- C. A customer's utility service may be discontinued if the bill has not been paid or a deferred payment agreement entered into within twenty (20) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a mailing or hand delivery at least five days prior to a stated date of disconnection.
- D. 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;

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- (2) Violation of the Utility's rules pertaining to the use of service in a manner which interferes with the service of others or the operation of nonstandard equipment, if a reasonable attempt has been made to notify the customer and the customer is provided with a reasonable opportunity to remedy the situation;
- (3) Without notice where a known dangerous condition exists for as long as the condition exists; and,
- (4) Tampering with the Utility's meter or equipment or bypassing the same.

E. Utility service may not be disconnected for any of the following reasons:

- (1) Delinquency in payment for service by the previous occupant of the premises;
- (2) Failure to pay for merchandise, or charges of nonutility service provided by the utility;
- (3) Failure to pay for a different type or class of utility service unless fee for such service is included on the same bill;
- (4) Failure to pay the account of another customer as guarantor thereof, unless the Utility has in writing the guarantee as a condition precedent to service;
- (5) Failure to pay charges arising from an underbilling occurring due to any misapplication of rates more than six 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 under Rule 5.04 A (e); and,
- (7) Failure to pay an 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.

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- F. Unless a dangerous condition exists, or unless the customer requests disconnection, service shall not be disconnected on a day, or on a day immediately preceding a day, when personnel of the Utility are not available to the public for the purpose of making collections and reconnecting service.
- G. The Utility may not abandon a customer or a certified service area without written notice to its customers therein and all similar neighboring utilities, and approval from the Commission.

5.08 EXTENSION POLICY

- A. It is the policy of the Utility that all extensions or improvements to facilities required as a result of an application or applications for service shall be paid for in full by the applicant or applicants for such service and will include the cost of engineering, should the services of a registered professional engineer be required as a result of an application for service received by the Utility. Payment received by the Utility for such extension or improvement shall be in addition to the tap fee requirements.
- B. This Extension Policy shall be superceded by statements made in any registration filed with the Office of Interstate Land Sales Registration, pertaining to this Utility when such statements conflict with this Extension Policy.

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