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PROPOSED TARIFF  
for  
EAST FORK SPECIAL UTILITY DISTRICT

1610 Troy Road  
Wylie, Texas 75098  
Ac. 214-442-2505

03-28-91

INTRODUCTION:

The following Water Tariff for the proposed East Fork Special Utility District was drafted from the existing Water Tariff previously approved by the Public Utility Commission for the existing entity. The East Fork Water Supply Corporation proposes to change it's political structure from a private non-profit corporation to a Special Utility District, organized in accordance with the rules and criteria of the Texas Water Commission, under Chapter 65, Special Utility Districts, and subject to the authority, conditions, and restrictions of, and in accordance with Article XVI, Section 59, of the Texas Constitution as amended.

The East Fork Water Supply Corporation supplies potable water to the geographic area south and southeast of Wylie, Texas in Collin, Dallas and Rockwall counties. The Water Supply Corporation was formed under the Non-Profit Corporation Act, Article 1434A of the R.C.S. of Texas. The Charter, No. 221704 was issued on February 21, 1966 with financial aid from the Farmers Home Administration. However, all financial loans from FmHA have been paid in full and there are no existing loans outstanding.

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Section 1, Definitions

- 1.01 "District" means a special utility district operating under Chapter 65.
- 1.02 "Board" means the board of directors for the district.
- 1.03 "Director" means a member of the board of directors of the district.
- 1.04 "Commission" means the Texas Water Commission.
- 1.05 "Executive Director" means the executive director of the Texas Water Commission.
- 1.06 "Public agency" means any city, the United States and its agencies, the State of Texas and its agencies, and any district or authority created under the Article XVI, Section 59, or Article III, Sections 52 (b) (1) and (2), of the Texas Constitution.
- 1.07 "City" means any incorporated city or town.
- 1.08 "Extraterritorial jurisdiction" means the extraterritorial jurisdiction of a city as determined under Chapter 42, Local Government Code.
- 1.09 "Sole expense" means the actual costs of relocating, raising, lowering, rerouting, changing grade, or altering the construction to provide comparable replacement without enhancing the facility, after deducting the net salvage value derived from the old facility.
- 1.10 "Water Supply Corporation" means any customer-owned, consumer-owned water supply corporation created and operating under Chapter 76, Acts of the 43rd Legislative, 1st called Session, 1933 (Article 1434 a, Vernon's Texas Civil Statutes), that on or before January 1, 1985, was providing the services of a water supply corporation under a certificate of convenience and necessity issued by the Public Utility Commission of Texas.
- Added by Acts 1983, 68th Leg., P2448, ch.435, and 4, eff. Aug. 29,1983. Amended by Acts 1985, 69th Leg., ch. 447, and 1, eff. Nov. 15, 1985; Acts 1985, 69th Leg., ch. 795, and 1.153, eff. Sept. 1, 1985; Acts. 1987, 70th Leg., ch. 149, and 47, eff. Sept. 1, 1987.
- 1.11 "Application" means a request for service.

- 1.12 "Sub-Divisions" means tracts of land being divided into small tracts for business, residential or commercial use.
- 1.13 "Meter" means an instrument used to measure the volume of water used by a consumer.
- 1.14 "Plat" means a scale drawing depicting the proposed sub-division of a tract of land, drafted in accordance with the applicable county or city of jurisdiction criteria.
- 1.15 "District Map" means maps located in the District office depicting line location, size and other facilities.
- 1.16 "Meter Testing" means checking the accuracy of a meter.
- 1.17 "A.W.W.A." means American Water Works Association.
- 1.18 "Discontinuance of Service" means the locking or removal of a meter.
- 1.19 "Delinquent" means past due accounts receivable.
- 1.20 "Restore Service" means to re-establish a disconnected service.
- 1.21 "Permit" means approval of any government or private authority.
- 1.22 "Easement" means the granting of use to the District of real property for placement of District facilities.
- 1.23 "Gravel Road" means a county road with a gravel topping.
- 1.24 "Hard Surface Road" means a road with asphalt topping.
- 1.25 "State Highways and Federal Highways" means any road owned and/or maintained by the Texas Highway Department.
- 1.26 "Pressure Regulators" means an instrument used to regulate pressure.
- 1.27 "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 District operating under the jurisdiction of the Texas Water Commission.
- 1.28 "Normal Office Hours" means Monday thru Friday, 9:00 A.M. to 5:00 P.M., except legal holidays.

1.29 "Off-Duty Hours" means any time other than 9:00 A.M. to 5:00 P.M., Monday thru Friday, or legal holidays.

1.30 "District Manager" shall be an employee of the District, hired by the Board of Directors to administer general supervision and operation of the District, and to be the chief administrator in charge of the employees.

SECTION 2.0 RATES

GENERAL STATEMENT

Purpose of Terms and Conditions of Service

The terms and conditions of service are designed to govern the supplying and taking of water service in such manner as will secure for each consumer the greatest practicable latitude in the enjoyment of the service that is consistent with good practice and safety on a non-discriminatory basis.

Applicability

The terms and conditions of service, and any modifications thereof and additions thereto lawfully made, are applicable to all Water Commission regulations and contracts now existing or which may be entered into by the District and to all rate schedules which from time to time may be lawfully determined and adopted.

2.01 Application of Rates

The District's published rate schedules indicate the conditions pertaining to each class of service available. The District, at any time upon request, will determine for any applicant the rate best adopted to existing or anticipated service requirements as defined by the applying applicant. Applicants will be serviced on a first-come first-served basis; according to the availability of water and adequate line size in the respective area.

2.02 Residential Service

Character of Service:

Minimum Pressure: 20 P.S.I.  
Minimum Flow: 2 G.P.M.

Monthly Bill:

First 2,000 Gallons	Flat Minimum.....\$16.00
All in excess of 2,000 gallons	\$2.80 per 1,000 gallons



Reconnect Fee	\$35.00
Membership Fee	N/A
Water Tap and Service Fee	\$750.00
Returned Check Service Charge	\$20.00
Late Payment Charge	\$1.00

2.03 Residential or Commercial Service using a 1" Meter

First 2,000 gallons	Flat Minimum.....\$16.00
All in excess of 2,000 gallons	\$2.80 per 1,000 gallons

2.04 Residential or Commercial Service using a 1 1/2" Meter

First 2,000 gallons	Flat Minimum.....\$25.00
All in excess of 2,000 gallons	\$2.80 per 1,000 gallons

2.05 Commercial Service using a 2" Meter

First 2,000 gallons	Flat Minimum.....\$30.00
All in excess of 2,000 gallons	\$2.80 per 1,000 gallons

2.06 Dual Residential Service on One (1) Meter

Dual residence service on one (1) meter will only be allowed with the written approval of the District. When written approval is granted, the billing rate will include the following charges:

First 2,000 gallons	Flat rate.....\$16.00 per each service
All in excess of 2,000 gallons	\$ 2.80 per 1,000 gallons.

2.07 Multiple Services on One (1) Meter

Multiple services when supplied through a common master meter will be applicable for mobile home parks, hotels, motels, multi-family complexes and modular living or retirement/convalescence homes.

Flat rate based on \$10.00 per living unit, space, mobile home lot, room or the equivalent of same.

All water metered through the master meter will be billed at a rate of \$2.80 per 1,000 gallons in addition to the accumulative flat rate per unit.

### SECTION 3 SUB-DIVISION SERVICE CONDITIONS

- 3.01 The Directors of the District shall interpret, on an individual basis, whether or not the applicant's request shall be subject to the Sub-Division policy.
- 3.02 Prior to submitting a formal application, the Developer, should make inquiry through the District office as to the availability of water at the location which he proposes to sub-divide; and submit a preliminary plat of the addition to the District.
- 3.03 The preliminary plat will be reviewed by the District's Engineer prior to any conditional approval of water service to the Addition. Upon preliminary approval by the District's Engineer, the District will notify the developer to proceed. In the case where the applicable entity withholds its final approval until all roads, etc. are installed, a letter from the entity so stating shall accompany the plat and the application.
- 3.04 The proposed facilities to provide water service within the sub-division must be prepared by a Registered Professional Engineer licensed to practice in the State of Texas, and shall conform to the design criteria established by the District.
- 3.05 The design of the proposed facilities shall be submitted to the Consulting Engineer who represents the District for his examination and shall include properly prepared hydraulic calculations, plats, plans, profiles, specifications, etc. The District's Engineer shall examine the plans and present his comments and recommendations to the District Managers in writing. The Board of Directors shall then notify the Developer of its approval, disapproval or of its need for additional information.
- 3.06 Facilities shall be installed on private property to which the District has title or easement. The cost of securing title to property and/or easement shall be borne by the Developer.

The contractor used for the job of laying lines must be approved by the District Manager.

- 3.07 Proper design of the proposed facilities may require "Off-Site" Construction. The District, with assistance from its Consulting Engineer, shall determine the tie-in points for the proposed facilities, taking into consideration such items as anticipated future growth

in the area and the service requirements of the existing customers.

- 3.08 The Developer shall be required to pay all the costs associated with the installation of the facilities. These costs shall include materials, labor, legal fees, inspection fees, design and/or examination fees, etc. The District will require an estimated deposit on the cost of funds on the project.
- 3.09 Pipe to be used in the Sub-Division must be approved by the District Engineer in order to maintain uniformity within the system.
- 3.10 Upon completion of the installation and after receiving satisfactory evidence that all bills in connection therewith have been paid, the District shall accept the facilities; however, the developer will be required to pay all costs for maintenance repairs for a period of one (1) year.
- 3.11 The Developer shall not be required to pay water bills for vacant lots within the Sub-Division. When service is desired on a certain lot, the person desiring the service shall be required to pay the applicable cost. The cost will include storage, and supply and materials, labor and other contingencies such as permits, easements, etc. These costs may be adjusted at any time by the Board of Directors, as necessary, to maintain a sound financial position for the District.

#### Section 4, GENERAL INFORMATION

##### 4.01 New Service Connections

Water tap and Service Fee is \$750.00. Upon payment of this fee, the District will tap the main and install a service line to the water meter inside the property of the new customer.

If the new customer does not live on the water main then he will have to pay the cost for extending the water line to his property in addition to the service fee.

##### Factors to consider for new connects:

1. Location of Customer's Property on District Map.
2. Determine if water line is on same side of property or across the road.
3. Check availability of water supply for area to be

served.

4. Determine existing line size and required line size.
5. Obtain all easements if necessary.
6. Receive applicable payment in advance of installation.

#### 4.02 Material For Installations

Each customer shall pay for all materials, parts, labor, equipment, and contingencies, such as permits, easements, storage and supply reserves that are necessary for such installation of the water meter. The funds based on the estimated cost will be held by the District prior to the installation of the water meter; and any credit due will be applied to the first monthly water bill.

#### 4.03 Meter Reading

Each customer is required to read his water meter monthly and figure total water bill and remit to the District when due. Meter reading slips, rate sheet and instructions are furnished to each customer. An annual supply of meter reading slips are mailed to each customer each year.

#### 4.04 Water Deposits

Water deposits are not required.

#### 4.05 Location of the Meters

Meters shall be readily accessible for maintenance and reading, and so far as practicable the location should be mutually acceptable to the customer and the District.

#### 4.06 Two Families or Users on One Meter

It shall be the policy of this District to not allow 2 houses or users to use the same water meter, unless provisions of operation and usage have been approved by the District.

#### 4.07 Meters

The District will only furnish meters or put in use a meter which is reliable and of a standard type which meets the industry's standards.

#### 4.08 Meter Testing

Upon request from a customer the District will test the customer's water meter within a reasonable time thereafter. If the customer desires this test in his presence or in that of his authorized representative, the District will make the test during 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 District's discretion, be made at the District's test facilities. If the meter has been tested by the District, at the customer's request, and within a period of 4 years the customer requests a new test, the District shall make the test, but if the meter is found to be within the A.W.W.A. standards of accuracy the District will charge the customer a \$25.00 fee paid in advance for making the test.

The District after completion of any requested test, shall promptly advise the user of the date of removal of the meter, date of test, result of test and who made the test.

#### 4.09 Adjustments of Bills for Meter Errors

A.) Fast Meter, Whenever any meter tested by the District is found to have any average error or more than (1.5%) fast (or in favor of the District) the District shall refund or credit to the customer the overcharge based on the corrected meter reading for a period of 6 months immediately preceeding the removal.

B.) Non-Registering, Whenever a meter is found not to register for any period, the District shall make a charge for gallons used, but not metered, for a period not to exceed 3 months based on amount used under similar conditions during periods preceeding or subsequent thereto, or during conditions corresponding to periods in previous years.

C.) Re-Read Meter Request by Customer, The District will re-read a meter upon request of a customer. If the reading is determined to be in error the District will make the necessary adjustments; however, if the reading is determined to be correct the District will charge the customer a \$10.00 service charge.

#### 4.10 Access

The customer shall give the duly authorized agents of the District permission to enter the customer's premises

at all reasonable times for any purpose incidental to the supplying of water service. All employees requiring access to premises of a customer shall be furnished with an identification card.

#### 4.11 Customer's Responsibility

The user will be responsible for all damage to, or loss of, the District property located upon his premises.

#### 4.12 Billing

All water bills are due on the 25th day of each month and payable by the 5th of the following month.

#### 4.13 Delinquent Bills

A past-due notice is mailed at the time the customer's payment is (1) one month delinquent.

A "red" card notifying the customer that he owes a two (2) month water bill and that if the total amount due is not paid by the 15th day of the month following the 2nd month due bill that the water will be cut off and water meter locked. A re-connect fee of \$35.00 is charged to restore service in addition to the total amount past due for water service.

If the water bill is not paid in full and no arrangements are made to pay the bill a letter is written to the customer notifying that the water meter will be pulled within 30 days from the date of the letter. The water meter and meter box is pulled and if water service is desired a new Water Tap and service fee is charged in addition to the past due bill.

#### 4.14 Fraudulent Use of Water

A water meter will be pulled immediately without notice if it is found that the customer has tampered with the water meter or equipment in any way, or has bypassed the meter. Service can be restored provided that the customer pays a charge of \$200.00 in addition to the expense of damage done and cost of restoring water service.

#### 4.15 Modification of Terms and Conditions of Service

No agent, representative, or employee of the District shall have authority to modify the terms and conditions as stated herein, but the District shall have the right to amend these terms and conditions or to make additional

terms subject to their approval by the Board of Directors and in accordance with the Texas Water Commission Rules and Regulations.

#### 4.16 Permits and Easements

The owner of the real property where the meter is to be placed does grant to the District an easement of right-of-way for the purpose of installing, maintaining, or operating such pipe lines, meters, valves, and any other equipment which may be deemed necessary for the District on such form as is required by the District. Permits which are necessary to be obtained from various State and Local Governments will be provided by the District, but costs of such permits will be paid by the consumer requesting service.

#### 4.17 Discontinuance of Service

- A.) The due date of the bill for District service shall not be less than fifteen (15) days after issuance. A bill for District 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 a residential bill under this rule.
- C.) A customer's District service may be disconnected if the bill has not been paid or a deferred payment agreement entered into within two months from the date of issuance and if proper notice has been given. Proper notice shall consist of a mailing or hand delivery at least fifteen 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;
  - 2. 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 with a reasonable opportunity to remedy the situation;

3. Failure to comply with deposit or guarantee arrangements where required;
4. Without notice where a known dangerous condition exists for as long as the condition exists; and
5. Tampering with the District 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 a previous occupant of the premises;
2. Failure to pay for merchandise, or charges for non-utility service provided by the District;
3. Failure to pay for a different type or class of District 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 District has in writing the guarantee as condition precedent to service.
5. 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; and
6. Failure to pay an estimated bill other than a bill rendered pursuant to an approved meter reading plan, unless the District is unable to read the meter due to circumstances beyond its control.

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 District are not available to the public for the purpose of making collections and reconnecting service.

G.) The District will not abandon a customer of a certified service area without written notice to its customer therein and all similar neighboring utilities, and



approval from the Commission.

## SECTION 5, WATER SERVICE REGULATIONS

These regulations are to provide for the safety of the public and for dependable water service. Drawings illustrative of the installations described herein will be furnished without charge by the District on request.

### 5.01 Standard Water Service Connection

A short standard water service connection as used herein, is provided to the user, at the users expense including materials, parts, labor, equipment and other contingencies from the District distribution main to the customer's property, provided the required easements and funds are received by the District prior to installation.

### 5.02 Types of Roads

A long water service connection across the road from the water distribution lines consist of 5 types of roads:

1. Gravel roads
2. Hard Surface roads
3. Dirt roads
4. State Highways
5. Farm to Market roads

### 5.03 Long Road Installation (across from distribution main)

The District will furnish and install parts, pipe, labor, equipment and other contingents for such connection at the customer's expense provided the required easements and permits from the State and County Officials are obtained prior to installation. The District will drill, jack, or bore as soil, rock, or rock formation requires under the road, which expense will be paid by the customer. Thereafter the District will maintain said service connection to the meter.

### 5.04 Pressure Regulators

The District will provide pressure regulators if needed at the customer's expense. The customer will be responsible for the installation of the regulator on the customer's service line.

#### 5.05 Ownership

All meter, parts, pipe, valves and equipment will be maintained by the District, after acceptance from a contractor or developer up to and through meter only.

#### 5.06 Line Extensions

No line extension of any size nor any distance shall be permitted nor shall the District be responsible to furnish water to such person, persons, District making such extension shall not be responsible to maintain said lines unless such person, persons or District desiring to make such an extension shall first obtain a permit for such purposes from the District. Only the District shall be permitted to sign and issue a permit.

Provided the extension to be made by a person, persons or District does not exceed 3,000 lineal feet of water pipe and 4 inches in diameter, the District Manager may, within his discretion, issue a permit for such installation without consulting the Board of Directors, subject to the following conditions:

1. Before issuing the permit, the District Manager shall determine that the proposed extension is hydraulically feasible, that the water pressure and volume in the area of the desired extension are both adequate to furnish water to the users proposed on such extension without lessening the supply of water to pressure to existing customers, below the recommended minimum of 20 P.S.I., at 2 G.P.M.
2. The District Manager will supervise and approve both the quality of the material to be placed in the extension and the method of workmanship in connection with the construction thereof.
3. An easement shall be furnished to the District by such permittee so that the extension lines shall be placed upon private property and not in a public road or roads; provided however, that the Board of Directors shall retain the final discretion as to whether or not an easement along the complete length of line shall be required. Necessary crossing of a public road or roads will, however, be permitted, with permit being obtained from the County Commissioner for road crossings, and that the permittee will pay expense in connection therewith. It is further understood that such water lines after completion become the property of the East Fork Special Utility District.

4. The District Manager will advise such permittee at the time the permit is taken out that should such permittee use an Independent Contractor for such construction, the Contractor must be advised of the terms and conditions of this provision and that such Contractor must be further advised that he will be bound by and subject to the same supervision in connection with the construction of the lines as would be the permittee himself if the permittee were himself doing the construction.
5. The District Manager shall advise the permittee of at least three separate contractors who are acceptable to the District to construct the extension and the permittee may choose any one of the three contractors which he prefers; this provision shall not, however, be interpreted to infer advance approval by the District of the work of any Contractor, whether recommended by the District Manager or not.
6. In order to assure uniformity of fittings, valves, fire hydrants, meters, meter boxes, corporation stops, curb stops, tees and various other items of equipment known as accessories, the permittee will order all such accessories through the District and the permittee will make an advance deposit to go into the extension. At the completion of the job, the District and the permittee will adjust credits and debits due one another based upon actual cost as opposed to estimated costs.
7. All trenches will be dug to a minimum of 36 inches in depth with a minimum of not less than 30 inches fill unless otherwise directed by the District Manager.
8. The permittee or his Contractor will be responsible for damage to any and all existing utilities, fences, property damages and clean-up of the job prior to final acceptance thereof by the District.
9. Prior to the final acceptance of the extension lines by the District a written receipt signed by the Contractor stating that the Contractor has received all money due to said Contractor by the permittee for work done in connection with the construction of such extension lines shall be provided.
10. In any case where the District Manager or deems it necessary, no permit will be issued until and unless a feasibility study has been made by the Engineer of the District and until the District receives

favorable recommendation from the Engineer indicating that the extension of the lines so desired are hydraulically feasible and will not unnecessarily deplete the pressure or the volume of water of existing customers in the area where the extension is located. The permittee desiring such extension will pay the Engineer for the feasibility study and such payment will be made in advance of such study.

11. All extension lines and all accessories will be paid by the permittee and where necessary the permittee shall also be required to pay for any enlargement of lines in the existing system from whatever point which may be necessary in order to insure adequate volume and pressure of water.
12. An allotted working time will be given to the Contractor for completing his work, subject to the District's discretion.
13. Upon completion of said line extensions and after all work has been accepted by the District, said line extension will become property of the District.

#### 5.07 Water Line Re-Location

It shall be the policy of the District to relocate all water lines on private property secured by easements to the District.

#### 5.08 Pulled Meters

Where there had previously been a meter in place, the charge to the applicant for installation will be a \$675.00 service fee. However, if the applicant was a past customer in which his meter was pulled, he would also be responsible for paying all past due bills.

#### 5.09 Service Interruptions

The District will make all reasonable efforts to prevent interruptions of service. When interruptions occur the District shall re-establish service within the shortest time possible. In the event of a National emergency or a local disaster, the District, in the public interest shall interrupt service to the District's customers to provide necessary service to Civil Defense or other emergency service agencies.

#### 5.10 Customer Complaints

Upon complaint to the District by a customer, either at

the District office, by letter or by telephone, the District shall promptly make a suitable investigation and advise the complainant of the results thereof.

#### 5.11 Refusal of Service

The District may decline to serve an applicant until such applicant has complied with the State and Governmental agencies regulations and the approved rules and regulations of the District as filed with the Texas Water Commission.

##### 1. Compliance by Applicant

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

- a. Applicant's facilities inadequate: If the applicant's installation or equipment is known to be hazardous or of such character that satisfactory service cannot not be given; or
- b. For indebtedness: If the applicant is indebted to any District 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 upon complying with the deposit requirements in Rule 052.02.04.045; or
- c. Refusal to make deposit: For refusal to make deposit if applicant is required to make a deposit under these rules.

##### 2. Applicant Recourse

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

##### 3. Insufficient Grounds for Refusal to serve

The following shall not constitute sufficient cause for refusal of service to a present customer or applicant:

- a. Delinquency in payment for service by a previous occupant of the premises to be served;
- b. Failure to pay for merchandise, or charges for non-District service purchased from the District;
- c. Failure to pay bill to correct previous underbilling due to misapplication of rates more than six months prior to the date of application;
- d. Violation of the District's rules pertaining to operation of non-standard equipment or unauthorized attachments which interferes 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;
- e. Failure to pay a bill of another customer as guarantor thereof, unless the guarantee was made in writing to the District as a condition precedent to service; and
- f. 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 District bill.