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EXEMPT UTILITY WATER TARIFF FORM

Effective Date: 09/29/09
Application No. Name Change *AB/113*
Registration No. N0057

Edward A. Fenoglio dba The Cove Water System
(Utility Name)

146 Alamo Road
(Business Address)

Montague, Texas 76251-1118
(City, State)(Zip Code)

(940)894-3172
(Area Code/Telephone)

RATE SCHEDULE

	<u>Monthly Minimum Charge</u>	<u>Gallonge Charge</u>
<u>Residential</u>	<u>\$25.00</u> (INCLUDING 0 GALLONS)	<u>\$4.00</u> per 1,000 gallons over the minimum
<u>Commercial</u>	<u>\$25.00</u> (INCLUDING 0 GALLONS)	<u>\$6.00</u> per 1,000 gallons over the minimum

TAP FEE.....\$450.00

REGULATORY ASSESSMENT.....1.0%
A REGULATORY ASSESSMENT, EQUAL TO ONE PERCENT OF THE CHARGE FOR RETAIL WATER SERVICE ONLY, SHALL BE COLLECTED FROM EACH RETAIL CUSTOMER

RECONNECTION FEE
THE RECONNECT FEE WILL BE CHARGED BEFORE SERVICE CAN BE RESTORED TO A CUSTOMER WHO HAS BEEN DISCONNECTED FOR THE FOLLOWING REASONS:
a) Non payment of bill (not to exceed \$25 without justification).....\$25.00
b) Customer Request.....\$35.00

LATE CHARGE.....\$5.00
For bills not received by due date. (Not to exceed \$5.00 or 10%)

RETURNED CHECK CHARGE.....\$25.00

CUSTOMER DEPOSIT.....\$50.00

METER TEST FEE (Not to exceed \$25).....\$25.00

The attached Service Rules are part of this tariff.

CUSTOMER NOTICE: THIS UTILITY SERVICE PROVIDER IS EXEMPT FROM MANY OF THE REQUIREMENTS OF TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR UTILITIES, BUT IT STILL MUST COMPLY WITH THESE SERVICE RULES. THE COMMISSION WILL NOT REVIEW RATE CHANGES UNLESS PROTESTED BY AT LEAST 50% OF THE CUSTOMERS WITHIN 90 DAYS AFTER THE EFFECTIVE DATE OF THE RATE CHANGE.

REQUIRED SERVICE RULES AND REGULATIONS FOR EXEMPT UTILITIES

Rate Changes - Rates can be changed no more than once a year without the approval of the Executive Director of the Commission. Customers will be given a notice of rate change which states the effective date of the rate change, the old rates, the new rates, the Commission's address and a statement that written protests can be submitted to the Commission.

Application for and Provision of Water Service

All new applicants will be given a copy of this Exempt Utility Tariff.

Where service has been disconnected for nonpayment of a bill, service will be reconnected within one working day after the customer has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service line from the utility's point of connection on the customer's property to the place of consumption. Customers may be required to install a customer owned cut-off valve on the customer's side of the meter or connection.

Refusal of Service

This exempt utility is not required to have a designated service area and is not obligated to serve every applicant for service but is required to provide service in a nondiscriminatory manner.

Customer Deposits

Refund of deposit - If service is not connected, or after permanent disconnection of service to a customer, the utility will promptly refund, within 30 days, the customer's deposit or the balance, if any, in excess of the unpaid bills for service furnished.

Meter Requirements, Readings, and Testing

One meter or connection may be required for each customer. The exempt utility will, upon the request of a customer, and, if the customer so desires, in his or her presence or in that of his or her authorized representative, make a test of the accuracy of the customer's meter. The test may be made using a container of known volume. A meter test will cost N/A. Following the completion of any requested test, the utility will promptly advise the customer in writing of the results. If the meter is in error by more than 3% the meter should be replaced at the utility's expense. Meters will be read at N/A intervals.

Billing

Bills from the utility will be mailed at intervals specified in the service agreement. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance.

(Billing Continued)

The postmark on the bill or, if there is no postmark on the bill, the recorded date of mailing by the utility will constitute proof of the date of issuance. Payment for utility service is delinquent if full payment, including late fees, is not received at the designated payment location by 5:00 p.m. on the due date. If the due date falls on a holiday or weekend, the due date for payment purposes will be the next work day after the due date.

Late Fee. - A late penalty may be charged (if listed on the tariff) on bills received after the due date. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide at least the following: The total amount due for water service, the due date of the bill and a telephone number (or numbers) for customers to call if they have questions.

Metered Service - If service is metered the bill must also state the date and reading of the meter at the beginning and end of the period for which the bill is rendered, and the numbers of gallons consumed.

Disputed Bills - In the event of a dispute between a customer and a exempt utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. Service will not be terminated during the time of the investigation if any undisputed amounts are paid.

Service Disconnection

Utility service may be disconnected if the bill has not been paid in full or if disputed, the undisputed amount paid, by the date listed on the disconnection notice. The disconnection date must be at least 10 days after the notice is mailed or hand delivered.

The exempt utility is encouraged, but not required, to offer a deferred payment plan to a customer who cannot pay an outstanding bill in full and is willing to pay the balance in reasonable installments. However, a customer's utility service may be disconnected if a bill has not been paid or a deferred payment agreement entered into within 26 days from the date of issuance of a bill and if proper notice of disconnection has been given.

Notice of disconnection must be a separate mailing or hand delivery.

Utility service may also be disconnected without notice if an imminent hazard to the utility system exists.

The utility is required to reconnect service after a customer who has been disconnected for nonpayment pays a delinquent bill and any other applicable fees in accordance with this tariff and any applicable service agreement. The utility may permanently disconnect service to an existing customer only if authorized to in writing by the executive director of the TCEQ or his designated representative and after notice has been issued.

Reconnection of Service

Service will be reconnected within 24 hours, unless otherwise stated on the service agreement, after the past due bill, reconnection fee and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected.

Service Interruptions

The utility will make all reasonable efforts to prevent interruptions of service. If interruptions occur, the utility will re-establish service within the shortest possible time.

Quality of Service

The utility will provide properly treated and disinfected water and facilities with sufficient pressure and capacity for reasonable consumer uses unless otherwise stated on the service agreement.

Standard Extension Requirements

All practices and policies related to the extension of service to new applicants or restoration of service must be reasonable and nondiscriminatory.

Specific Utility Rules (May not conflict with Commission required Rules. Attach additional pages if needed.)

WATER SERVICE APPLICATION/AGREEMENT

Date ___/___

Edward A. Fenoglio dba The Cove Water System
(Utility Name)

146 Alamo Road
(Business Address)

Montague, Texas 76251-1118
(City, State, Zip Code)

(940)894-3172
(Area Code/Telephone)

APPLICATION FOR WATER SERVICE

Name of Applicant/Customer: _____

Service Location: _____

Billing Address: _____

City, State, Zip: _____

Check Applicable Items:

Residential Owner
 Commercial Tenant

The Exempt Utility agrees to sell and deliver water to the Applicant and the Applicant agrees to purchase and receive water from the Utility in accordance with the rules and regulations required by the Texas Commission on Environmental Quality which are included in its Exempt Utility Tariff and any other rules or requirements contained in this agreement.

Water will be disinfected. Water will be measured by meters which are furnished, installed, owned and maintained by the Utility. The meter and/or connection is for the sole use of the Applicant/Customer to serve water to one dwelling, business or property. The Applicant/ Customer shall not share, resell, or submeter water to any other dwelling, business, property, etc., without the specific written authorization of the Utility and in compliance with applicable laws and regulations.

The Utility has the right to locate a water service meter/connection and the pipe necessary to connect the meter to the utility's water main on the property of the Applicant at a point mutually agreeable to both the Utility and the Applicant. The Applicant/Customer will allow the Utility access at all reasonable times to its property and equipment located upon Applicant/Customer's premises for the limited purposes of reading the water meter, repairing or replacing existing facilities and the inspection of the Applicant/Customer's facilities to check for illegal connections or unsafe plumbing practices or cross-connections, in compliance with the requirements of the Texas Commission on Environmental Quality's "Rules and Regulations for Public Water Systems."

Edward A. Fenoglio dba The Cove Water System

Effective Date _____

The Applicant will install, at his own expense, a service line from the water meter/connection to the Applicant's point of use which includes a cutoff valve on the Applicant's side of the water meter/connection. The Applicant/Customer will be responsible for maintenance and repair of the Applicant/Customer's service line. The Applicant/Customer shall hold the Utility harmless from any and all claims or demands for damage to real or personal property occurring from the point the Applicant/Customer ties on the water meter/connection to the final destination of the line installed by Applicant/Customer.

The Applicant agrees to grant to the Utility an easement/right-of-way for the purpose of installing, maintaining and operating such pipe lines, meters, valves, and any other equipment which may be deemed necessary for the provision of Utility service to that Applicant/Customer. The Utility will attempt to restore the Applicant/Customer's property to its original condition after installation or repairs. This easement may be in such form as is required by the Utility. The Applicant/Customer agrees not to interfere with the Utility's employees in the discharge of their duties. The Applicant/Customer will not permit anyone except the Utility's employees to tamper with or interfere with any of the utility's equipment installed on the Applicant/Customer's premises.

Non-standard Service

Will the Applicant's use of water place unique, non-standard service demands upon the system or require any special facilities?

No Yes If yes, please describe.

OTHER AGREEMENTS OR REQUIREMENTS FOR SERVICE

The service applicant has been provided a copy of the utility's Exempt Utility Tariff and agrees to pay the rates in the tariff and abide by the requirements in this service agreement. This utility is exempted from most of the requirements for water utilities of the Texas Commission on Environmental Quality as long as service is provided in accordance with the Exempt Utility Tariff. The Commission will not review rate changes by the utility unless it receives written protests from at least 50% of the customers within 90 days after the effective date of a rate change.

Applicant/Customer's Signature

Date ____/____/____

\$ _____ Tap Fee Collected

\$ _____ Deposit Collected

Service will be connected at the service location on or about _____,
20____.

Utility Representative

Date ____/____/____

Texas Commission Environmental Quality

INTEROFFICE MEMORANDUM

TO: Tariff Coordinator
Utilities Financial Review Team
September 29, 2009

THRU: Doug Holcomb, Section Manager
Utilities & Districts Section

FROM: Karen Blaschke, Water Supply Division

SUBJECT: Request for Tariff Approval Stamp
Utility Name: **Edward A. Fenoglio dba The Cove Water System**
Exempt Utility Registration Number: **N0057**
Application/Docket Number: **NA—Name Change**

Attached, please find:

- A. A tariff for a utility reflecting the results of a rate case approved by the Commission (contested).
- B. A tariff for a utility reflecting rates effective by Operation of Law i.e. no protests received nor hearing requested(uncontested).
- C. A tariff for a utility with minor tariff changes allowed under TCEQ Rule 291.21(b)(2).
- D. An exempt utility tariff submitted in a CCN application.
- E. A tariff for a utility submitted in a report of sale and/or transfer of CCN application.
- F. **Other: Based on information submitted in their 2008 RAF coupon and a revised tariff received the name has changed on this exempt utility to Edward A. Fenoglio dba The Cove Water System.** *from Winston Capital Corporation dba The Cove at Lake Nacoma.*
- G. Comments regarding any of the above or any related tariff on file:

I have reviewed the above tariff and I recommend it be stamped APPROVED. Date of tariff approval: _____

(Signature)

Texas Commission Environmental Quality

INTEROFFICE MEMORANDUM

TO : Tariff Coordinator
Utilities Financial Review Team
September 29, 2009

THRU : Doug Holcomb, Section Manager
Utilities & Districts Section

FROM: Karen Blaschke, Water Supply Division *KB 9/29/09*

SUBJECT: Request for Tariff Approval Stamp
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(Signature)