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**WATER UTILITY TARIFF
FOR**

The Bay Place Property Owners Association, Inc.
(Utility Name)

13100 Bay Place Drive
(Business Address)

Baytown, Texas 77520
(City, State, Zip Code)

(281) 573-1237
(Area Code/Telephone)

This tariff is effective for utility operations under the following Certificate(s) of Convenience and Necessity:

12541

This tariff is effective in the following county:

Chambers

This tariff is effective in the following cities or unincorporated towns (if any):

Beach City

This tariff is effective in the following subdivisions or systems:

PWS #0360074

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ATTACHMENT DROUGHT CONTINGENCY PLAN

WATER UTILITY TARIFF COMMISSION

C. N. 12541 JUL 16 '01

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The Bay Place Subdivision
(Water Utility Name)

Water Tariff Page No. 1
Revision No. 0

SECTION 1.0--RATE SCHEDULE

Section 1.01--Rates

METER SIZE	Monthly Minimum Charge including <u>20,000</u> gallons	Gallonage Charge
5/8" or 3/4"	\$ <u>20.00</u> per month	\$ <u>1.00</u> per 1000 gallons

Section 1.2--Miscellaneous Fees

TAP FEE.....\$ 200.00

**DROUGHT CONTINGENCY PLAN
FOR THE
INVESTOR OWNED UTILITY**

**BAY PLACE PROPERTY OWNERS' ASSOCIATION
13100 BAY PLACE DRIVE
BAYTOWN, TX 77520**

CCN #12541

PWS #0360074

Section 1 Declaration of Policy, Purpose and Intent

In cases of extreme drought, periods of abnormally high usage, system contamination, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit non-essential water usage. The purpose of the Drought Contingency Plan is to encourage customer conservation in order to maintain supply, storage, or pressure or to comply with the requirements of a court, government agency or other authority.

Please note: Water restriction is not a legitimate alternative if water system does not meet the Texas Natural Resource Conservation Commission's (TNRCC) capacity requirements under normal conditions or if the utility fails to take all immediate and necessary steps to replace or repair malfunctioning equipment.

I, James F. Smoke, being the responsible official for the Bay Place Property Owners' Association, request a minor tariff amendment to include the enclosed Drought Contingency Plan.

James F. Smoke
Signature

8/29/00
Date

Section 2 Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided at the annual Bay Place Property Owners' meeting.

TNRCC
CCN #12541 JUL 16 '01
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Section 3 Public Education

The Bay Place Property Owners' Association will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage.

A public meeting will provide drought plan information.

Section 4 Coordination with Regional Water Planning Groups

The service area of the Bay Place Property Owners' Association is located within Regional Water Planning Group (RWPG)—H.

Bay Place Property Owners' Association has mailed a copy of this Plan to the RWPG.

Section 5 Notice Requirements

Written notice will be provided to each customer **prior to implementation or termination of each stage of the water restriction program**. Mailed notice must be given to each customer 72 hours prior to the start of water restriction. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided. The written notice to customers will contain the following information:

1. the date restrictions will begin,
2. the circumstances that triggered the restrictions,
3. the stages of response and explanation of the restrictions to be implemented, and,
4. an explanation of the consequences for violations.

The utility must notify the TNRCC by telephone at (512) 239-6020, or electronic mail at watermon@tnrcc.state.tx.us prior to implementing Stage III and must notify in writing the Public Drinking Water Section at MC-155, P.O. Box 13087, Austin, Texas 78711-3087 within five (5) working days of implementation including a copy of the utility's restriction notice. The utility must file a status report of its restriction program with the TNRCC at the initiation and termination of mandatory water restrictions (i.e. Stages III and IV).

Section 6 Violations

1. First violation—The customer will be notified by written notice of their specific violation.
2. Subsequent violations:
 - a. After written notice, the utility may install a flow-restricting device in the line to limit the amount of water, which will pass through the meter in a 24-hour period. The utility may charge the customer for the actual cost of installing and removing the flow-restricting device, not to exceed \$50.00.
 - b. After written notice, the utility may discontinue service at the meter for a period of seven (7) days, or until the end of the calendar month, whichever is LESS. The normal reconnect fee of the utility will apply for restoration of service.

Section 7 Exemptions or Variances

The utility may grant any customer an exemption or variance from the drought contingency plan for good cause **upon written request**. A customer who is refused an exemption or variance may appeal such action of the utility in writing to the Texas Natural Resource Conservation Commission. The utility will treat all customers equally concerning exemptions and variances, and shall not discriminate in granting exemptions and variances. No exemption or variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section 8 Response Stages

Unless there is an immediate and extreme reduction in water production, or other absolute necessity to declare an emergency or severe condition, the utility will initially declare Stage 1 restrictions. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, reduce the risk of outages, or comply with restrictions required by a court, government agency or other authority, Stage 2 may be implemented with Stage 3 to follow is necessary.

STAGE 1 – CUSTOMER AWARENESS

Stage 1 will begin:

Every April 1st, the utility will mail a public announcement to its customers. No notice to TNRCC required.

Stage 1 will end:

Every September 30th, the utility will mail a public announcement to its customers. No notice to TNRCC required.

Utility Measures:

This announcement will be designed to increase customer awareness of water conservation and encourage the most efficient use of water. A copy of the current public announcement on water conservation awareness shall be kept on file available for inspection by the TNRCC.

Voluntary Water Use Restrictions:

Water customers are requested to voluntarily limit the use of water for non-essential purposes and to practice water conservation.

STAGE 2 – VOLUNTARY WATER CONSERVATION:

Requirements for Initiation:

The water utility will implement Stage 2 when:

Total daily demand is 85% of capacity. When total demand equals or exceeds 73,440 gallons for 3 consecutive days of 73,440 gallons on a single day.

Upon initiation and termination of Stage 2, the utility will mail a public announcement to its customers. No notice to TNRCC required.

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Requirements for Termination:

Stage 2 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a daily basis. Review customer use records monthly and follow-up on any that have unusually high usage.

The second water source for Bay Place Property Owners' Association is purchased water.

Voluntary Water Use Restrictions:

1. Restricted Hours: Outside watering is allowed daily, but only during periods specifically described in the customer notice; between 10:00 PM and 5:00 AM for example; **OR**
2. Restricted Days/Hours: Water customers are requested to voluntarily limit the irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems. Customers are requested to limit outdoor water use to **Mondays for water customers with a street address ending with numbers 1, 2, or 3; Wednesdays for water customers with a street address ending with the numbers 4, 5, or 6; and Fridays for water customers with a street address ending with the numbers 7, 8, 9, or 0.** Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 AM and between 8:00 PM and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
3. Other uses that waste water such as water running down the gutter.

STAGE 3 – MANDATORY WATER USE RESTRICTIONS:

Requirements for Initiation:

The water utility will implement Stage 3 when:

Total daily demand is 90% of capacity. When total demand equals or exceeds 77,760 gallons for 3 consecutive days of 77,760 gallons on a single day.

Upon initiation and termination of Stage 3, the utility will mail a public announcement to its customers. Notice to TNRCC required.

Requirements for Termination:

Stage 3 of the Plan may end when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Utility Measures:

Visually inspect lines and repair leaks on a regular basis. Flushing is prohibited except for dead end mains.

VERMONT WATER CONSERVATION COMMISSION

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Mandatory Water Use Restrictions: The following water use restrictions shall apply to all customers.

1. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to **Mondays for water customers with a street address ending with numbers 1, 2, or 3; Wednesdays for water customers with a street address ending with the numbers 4, 5, or 6; and Fridays for water customers with a street address ending with the numbers 7, 8, 9, or 0.** Irrigation of landscaped areas is further limited to the hours of 12:00 midnight until 10:00 AM and between 8:00 PM and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at anytime if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 AM and between 8:00 PM and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive shutoff nozzle for quick rinses.
3. Use of water to fill, refill, or add to any indoor or outdoor swimming pools, wading pools, or "jacuzzi" type pools is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 AM and between 8:00 PM and 12:00 midnight.
4. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life when such fountains or ponds are equipped with a recirculation system.
5. Use of water from hydrants or flush valves shall be limited to maintaining public health, safety, and welfare.
6. Use of water for the irrigation of golf courses, parks, and green belt areas is prohibited except by hand held hose and only on designated watering days between the hours of 12:00 midnight and 10:00 AM and between 8:00 PM and 12:00 midnight.
7. The following uses of water are defined as non-essential and are prohibited:
 - a) Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts, or other hard-surfaced areas;
 - b) Use of water to wash down buildings or structures for purposes other than immediate fire protection;
 - c) Use of water for dust control;
 - d) Flushing gutters or permitting water to run or accumulate in any gutter or street;
 - e) Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
 - f) Any waste of water.

City of San Jose, California

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STAGE 4 – MANDATORY WATER USE RESTRICTIONS:

Requirements for Initiation:

The water utility will implement Stage 3 when any one of the selected triggers is reached:

Supply-Based Trigger

Supply contamination (well-head; bad water encroachment).

Demand or Capacity-Based Trigger

Total daily demand is 95% of capacity. When total demand equals or exceeds 82,080 gallons for 3 consecutive days of 82,080 gallons on a single day.

Upon initiation and termination of Stage 4, the utility will mail a public announcement to its customers. Notice to TNRCC required.

Requirements for Termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of three (3) consecutive days. Upon termination of Stage 4, Stage 3 becomes operative.

Operational Measures:

The utility shall visually inspect lines and repair leaks on a daily basis. Flushing is prohibited except for dead end mains and only between the hours of 9:00 PM and 3:00 AM. Emergency interconnects or alternative supply arrangements shall be initiated. All meters shall be read as often as necessary to insure compliance with this program for the benefit of all customers.

Mandatory Water Use Restrictions: All outdoor use of water is prohibited.

1. Irrigation of landscaped areas is absolutely prohibited.
2. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

STATE OF TEXAS
DEPARTMENT OF CONSERVATION

12/16/01

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