



Filing Receipt

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Control Number - 53075

ItemNumber - 532

NAME OF UTILITY: Lake Bridgeport Development Corporation
 NAME OF TARIFF: Water
 EFFECTIVE DATE: September 17, 1976 *April 5, 1978*
 REVISION NUMBER: Original One
 PAGE NUMBER: 2

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NAME OF TARIFF: Water
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REVISION NUMBER: Original
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DEFINITIONS

Member, user, customer and consumer means an individual or Corporation who purchases water service.

Utility means ~~Lake Bridgeport Development Corporation.~~ *Runaway Bay Properties* (T)

Commission means the Public Utility Commission of Texas.

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.

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.

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UTILITY OPERATIONS

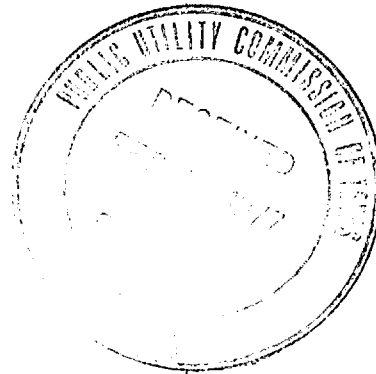
The Utility's operation consists of providing water service to lot owners in the Runaway Bay Subdivision, Wise County, Texas. Water service is provided on a continuous basis from a central location, and the service is so designed to provide a quality product to all users at all times.

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.

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NAME OF UTILITY: Lake Bridgeport Development Corporation
LOCATION OF PRINCIPAL OFFICE: Route 1, Box 1000
Bridgeport, Tx. 76026
TYPE OF SERVICE RENDERED: Water
TERRITORY WHERE TARIFF IS APPLICABLE: Runaway Bay Subdivision
Wise County, Texas
EFFECTIVE DATE: September 1, 1976
REVISION NUMBER: Original



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NAME OF UTILITY: Lake Bridgeport Development Corporation
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SERVICE TERRITORY

Service Territory to which this tariff applies consists of the following area:

Runaway Bay Subdivision, according to the map or plat thereof recorded in Volume 1, Pages 17, 1-8, 9, 10-15, 18, 19, 20-29, 31-38, 43, 44, 65, 45-57, 63, 64, and Amended Volume 1, Pages 16, 39-41, 60, 61, of the Plat Records of Wise County, Texas.

Runaway Bay Subdivision, according to the map or plat thereof recorded in Volume 3, Pages 269-276, Surveyors Records, Amended Volume 4, Pages 3-7 of Surveyors Records in Wise County, Texas.

Attached hereto as Exhibit "A" is a map of the Service Territory to which this tariff applies.

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RATE SCHEDULE

(Non-Metered)

This rate schedule is applicable to water service to all condominiums served by the Utility in the Service Territory. Water supply to individual units in the indicated Condominium is not metered by the Utility. All Customers receiving services of the Condominium pay a flat rate of \$3.75 per month for water usage. No tap fee is required of Customers receiving service under this rate schedule. The monthly rate is paid as follows: at the end of the month in which the service was used.

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RATE SCHEDULE

(Metered)

Water supplied to all Customers of the Utility is metered, except water supplied to Customers receiving service to Condominium units under the non-metered rate schedule. All Customers of the Utility in the Service Territory receiving water through meters are charged under this rate schedule.

This rate schedule consists of a tap fee and monthly rates.

Tap Fee: \$50.00

The tap fee is paid as follows: At time of water meter installation.

Rates for water used during the month:

For first 3,500 gallons used, \$4.00 plus 92¢ per 1,000 gallons over 2,500 but less than 5,000;

For first 5,000 gallons used, \$6.00 plus 69¢ per 1,000 gallons over 5,000 but less than 10,000;

For first 10,000 gallons used, \$9.75 plus 65¢ per 1,000 gallons over 10,000 but less than 20,000;

For first 20,000 gallons used, \$16.25 plus 50¢ per 1,000 gallons over 20,000.

The monthly rate is paid as follows: At the end of the month in which the service was used.

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SERVICE RULES AND REGULATIONS

NEW TAPS AND SERVICES

- A. Utility Water Main in place on User Property
After proper application made by homeowner or tenant and receipt by the Utility of applicable and tap fees, the Utility shall effect the installation of a standard meter box and 3/4" water meter at a mutually agreeable point not more than five feet in distance from the existing water main. In the event the Utility water main does not have sufficient capacity to serve the new applicant with water service without reducing service to existing users below regulatory standards, the applicant shall in addition to paying the regular tap fee, pay for such additional facilities and may be required to provide the service and any facilities so provided shall be the property of the Utility.
- B. Payment of Due Amounts
Every applicant who previously has been a Customer of the Utility and whose service has been discontinued for non-payment of bills shall be required before service is rendered to pay all amounts due the Utility.
- C. 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.
- D. Refusal of Service
(a) Compliance by Applicant
The Utility 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) Service may be withheld from new dwelling until dwelling meets all specifications as approved by the Architectural Control and Planning Committee;

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(2) 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,

(3) For indebtedness: If the applicant is indebted to any utility for the same kind of service as that applied for.

(b) Applicant's Recourse

In the event that the Utility shall refuse to serve an applicant under the provisions of this tariff, the Utility will 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 nonutility service purchased from the Utility;

(3) Failure to pay a bill to correct previous under-billing due to misapplication of rates more than six months prior to the date of application;

(4) Violation of the Utility's rules pertaining to operation of nonstandard equipment or unauthorized attachments which interfered 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; and,

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- (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.

BILLING

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 twenty-five (25) days after issuance of the bill. A member's water service may be disconnected if the bill has not been paid within thirty (30) days from the date of issuance and if proper notice has been given. Proper notice shall consist of a mailing or hand delivered 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.

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.

METER READINGS

As a matter of general practice, service meters shall be read at monthly intervals, and as nearly as possible on the corresponding day of each meter reading period, but may be read at other than monthly intervals if the circumstances warrant.

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

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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.

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.

DISCONTINUANCE OF SERVICE

- A. The due date of the bill for utility service is twenty-five (25) 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.

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- C. A Customer's utility service may be disconnected if the bill has not been paid or, if offered, a deferred payment agreement entered into within (30) 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.
- 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 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 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 non-utility 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;

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- (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 Commission Rules; 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.
- F. Unless a dangerous condition exists, or unless the Customer requests a 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 without written notice to its Customers therein and all similar neighboring utilities, and approval from the Commission.

Extension Policy

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 except those that are a part of a program to be financed by Farmers Home Administration as a general extension project, 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 an applicable tap fee requirement.

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JOHNSON, BROMBERG, LEEDS & RIGGS

ATTORNEYS

4400 REPUBLIC NATIONAL BANK TOWER

DALLAS, TEXAS 75201

April 20, 1978

(214) 655-1500
TELEX 73-2240

Public Utility Commission
of Texas
7800 Shoal Creek Blvd.
Suite 450-N
Austin, Texas 78757



Re: Docket No. 812

Certificate of Convenience
and Necessity for Water
No. 10272

Certificate of Convenience
and Necessity for Sewer
No. 20106

Attention: Ms. Marilyn Slaughter

Ladies and Gentlemen:

On behalf of our client, Runaway Bay Properties, Inc., and in accordance with your suggestion, we hereby request that you deem this letter a filing of water and sewer tariffs by Runaway Bay Properties, Inc., as required pursuant to the order dated April 5, 1978, issued under Docket No. 812, with the same terms, provisions and rates in said tariffs as those contained in the tariffs presently on file in your offices for Lake Bridgeport Development Corporation, except that the name Runaway Bay Properties, Inc. shall be substituted for the name Lake Bridgeport Development Corporation and the effective date of the tariffs filed hereby shall be April 5, 1978.

In addition, we wish to confirm that the sewer rate is \$2.25 per month.

A duplicate of this letter is enclosed herewith. We would appreciate your stamping it to indicate the filing hereof and returning it to the undersigned in the enclosed envelope. Unless we are advised otherwise, your return of such duplicate will confirm your acceptance of this letter as the filing of the afore-said tariffs.

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Public Utility Commission
of Texas
April 20, 1978
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Your assistance in this matter has been most appreciated.

Sincerely,



Eileen Hall

EH/mj
Enclosures
cc: Mr. John E. Cunningham
Mr. Stratton Eldridge III

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O. File

H. 1/10/1980
Bridgport
76026

DOCKET NO. 812

APPLICATION OF LAKE BRIDGEPORT
DEVELOPMENT CORPORATION FOR SALE
OF CERTIFICATE OF CONVENIENCE AND
NECESSITY TO RUNAWAY BAY PROPERTIES

PUBLIC UTILITY COMMISSION
OF TEXAS

EXAMINER'S REPORT

Procedural History

On October 7, 1977, Lake Bridgeport Development Corporation filed an application to sell its Certificate of Convenience and Necessity for water and sewer operations within Wise County to Runaway Bay Properties, Inc. The stated purchased price for the entire subdivision which included land, buildings, improvements and utility plant is \$2,000,000. No allocation of purchase price was made to utility plant. The original cost of the water and sewer facilities was listed as \$2,799,612 with accumulated depreciation of \$1,422,423 as of October 15, 1977.

Notice of the application was given to interested parties; however, none protested. The Staff has recommended approval.

The Examiner recommends that the application be approved and that the Commission adopt the following Findings of Fact, Conclusions of Law and Proposed Order:

Findings of Fact

1. Lake Bridgeport Development Corporation filed an application to sell its water certificate number 10272 and sewer certificate number 20106 for water and sewer operations within Wise County to Runaway Bay Properties, Inc.
2. Runaway Bay Properties, Inc. is capable of rendering adequate service to the public.
3. The total sale price of the subdivision is \$2,000,000 with no allocation of sale price to the various assets.
4. Original Cost of the utility plant is \$2,799,612 with accumulated depreciation of \$1,422,423 as of October 15, 1977.

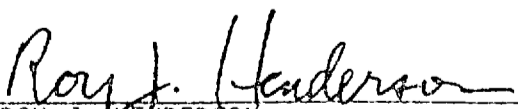
Conclusions of Law

1. The Commission has jurisdiction over this matter pursuant to Art. 1446c, Section 59.
2. Approval of the sale shall not constitute Commission approval of rate base valuation.

Respectfully submitted,


JOHN E. CUNNINGHAM
HEARINGS EXAMINER

APPROVED on the 16th day of March, 1978.


ROY J. HENDERSON
COMMISSION SECRETARY
AND DIRECTOR OF HEARINGS

APPLICATION OF LAKE BRIDGEPORT
DEVELOPMENT CORPORATION FOR SALE
OF CERTIFICATE OF CONVENIENCE AND
NECESSITY TO RUNAWAY BAY PROPERTIES

PUBLIC UTILITY COMMISSION
OF TEXAS

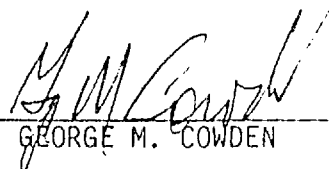
ORDER

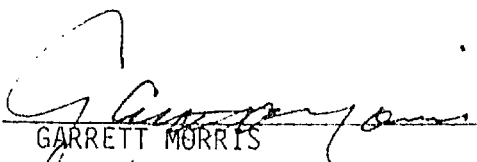
In public meeting at its offices in Austin, Texas, the Public Utility Commission of Texas adopts the Examiner's Findings of Fact and Conclusions of Law and issues the following Order:

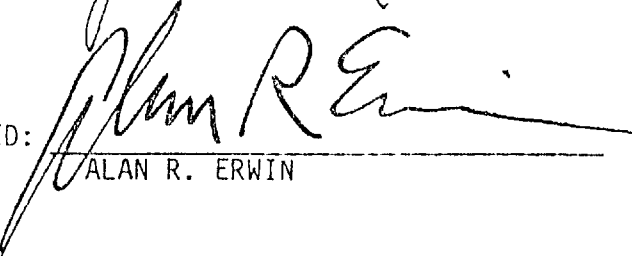
1. The transfer of Lake Bridgeport Development Corporation's Certificates of Convenience and Necessity for water number 10272 and sewer number 20106 for operations in Wise County Texas is approved.
2. The Purchaser shall file a tariff with the Commission within twenty (20) days of the date this Order is signed.

ISSUED AT AUSTIN, TEXAS, on the 5th day of April, 1978.


PUBLIC UTILITY COMMISSION OF TEXAS

SIGNED: 
GEORGE M. COWDEN

SIGNED: 
GARRETT MORRIS

SIGNED: 
ALAN R. ERWIN

ATTEST:


ROY J. HENDERSON
COMMISSION SECRETARY
AND DIRECTOR OF HEARINGS

sb