

Filing Receipt

Received - 2023-01-06 09:38:20 AM Control Number - 53075 ItemNumber - 753

WATER UTILITY TARIFF

FOR

Pelican Bay Utility Co., Inc.
(Utility Name)

300 N. Jim Wright Freeway
(Business Address)

Fort Worth, Texas
76108
(City, State, Zip Code)

(817) 246-4646 (Area Code/Telephone)

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

11061

This tariff is effective in the following county(ies):

<u>Tarrant</u>

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

Pelican Bay

This tariff is effective in the following subdivisions or systems:

<u>All</u>

TABLE OF CONTENTS

The above utility lists the following sections of its tariff (if additional pages are needed for a section, all pages should be numbered consecutively):

SECTION	PAGE	
1.0	RATE SCHEDULE	1
2.0	SERVICE RULES	
3.0	EXTENSION POLICY	
4.0	WATER RATIONING PLAN 10	
APPENDIX A	SERVICE AGREEMENTS	

30 35 20 600 1 1061 NN 25 44

DA APPRUNED IAMINE BY NP al

SECTION 1.0 - RATE SCHEDULE

Section 1.01 - Rates

Meter Size	Monthly Minimum	<u>Charge</u>	. Gallonage Charge			
5/8" or 3/4" 1" 1½" 2" 2 1/2 3"	\$22.85_ (INCLUDING _20 \$38.16_ \$76.09_ \$121.79_ \$182.80_ \$228.50_	(2001-4000 gallo	\$2.25_ per 1000 gallons ns) same for all meter sizes \$2.50_ per 1000 gallons ns) same for all meter sizes \$3.00			
		(7001 galions and	per 1000 gallons up) same for all meter sizes			
REGULATORY ASSESSMENT						
Section 1.02 - Misc	cellaneous Fees					
TAP FEE						
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 payme b) Customer or other reaso	ent of bill (Maximum S 's request NS LISTED UNDER SECTION 2.0 OF THIS	\$25.00)	\$25.00_ \$35.00_			
TRANSFER FEE						
			\$ <u>2.00 OR 5%</u>			
RETURNED CHECK CHAI	RGE		\$15.00_			
CUSTOMER DEPOSIT (Maximum \$50)						
METER TEST FEE (actual cost of testing the meter up to) . \$25.00_ THIS FEE MAY BE CHARGED IF A CUSTOMER REQUESTS A SECOND METER TEST WITHIN A TWO YEAR PERIOD AND THE TEST INDICATES THAT THE METER IS RECORDING ACCURATELY.						

RATES LISTED ARE EFFECTIVE ONLY IF THIS PAGE HAS TNRCC APPROVAL STAMP

TEXAS NATURAL RESOURCE CONSESSED COMMISSION

30 35 2 H CON 1 1061 MAY 25'94

D.A. APPROVED TARTES BY V AL

Section 2.01 - Texas Natural Resource Conservation Commission Rules

The utility will have the most current Texas Natural Resource Conservation Commission Rules, Chapter 291, Water Rates, available at its office for reference purposes. The Rules and this tariff shall be available for public inspection and reproduction at a reasonable cost. The latest Rules or Commission approved changes to the Rules supersede any rules or requirements in this tariff.

Section 2.02 - Application for and Provision of Water Service

All applications for service will be made on the utility's standard application or contract form (attached in the Appendix to this tariff) and will be signed by the applicant before water service is provided by the utility. A separate application or contract will be made for each service location.

After the applicant has met all the requirements, conditions and regulations for service, the utility will install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. The utility will serve each qualified applicant for service within 5 working days unless line extensions or new facilities are required. If construction is required to fill the order and if it cannot be completed within 30 days, the utility will provide the applicant with a written explanation of the construction required and an expected date of service.

Where service has previously been provided, service will be reconnected within one working day after the applicant has met the requirements for reconnection.

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location 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.

Section 2.03 - Refusal of Service

The utility may decline to serve an applicant until the applicant has complied with the regulations of the regulatory agencies (state and municipal regulations) and for the reasons outlined in the TNRCC Rules. In the event that the utility refuses to serve an applicant, the utility will inform the applicant in writing of the basis of its refusal. The utility is also required to inform the applicant a complaint may be filed with the Commission.

Section 2.04 - Customer Deposits

If a residential applicant cannot establish credit to the satisfaction of the utility, the applicant may be required to pay a deposit as provided for in Section 1.02 of this tariff. The utility will keep records of the deposit and credit interest in accordance with TNRCC Rules.

30 35 2 R CCN 1 1061 MAY 25 94

D.A. APPROVED TARIFF BY VP A

<u>Section 2.04 - Customer Deposits (cont.)</u>

Residential applicants 65 years of age or older may not be required to pay deposits unless the applicant has an outstanding account balance with the utility or another water or sewer utility which accrued within the last two years.

Nonresidential applicants who cannot establish credit to the satisfaction of the utility may be required to make a deposit that does not exceed an amount equivalent to one-sixth of the estimated annual billings.

Refund of deposit - If service is not connected, or after disconnection of service, the utility will promptly refund the customer's deposit plus accrued interest or the balance, if any, in excess of the unpaid bills for service furnished. The utility may refund the deposit at any time prior to termination of utility service but must refund the deposit plus interest for any customer who has paid 18 consecutive billings without being delinquent.

Section 2.05 - Meter Requirements, Readings, and Testing

All water sold by the utility will be billed based on meter measurements. The utility will provide, install, own and maintain meters to measure amounts of water consumed by its customers. One meter is required for each residential, commercial or industrial facility in accordance with the TNRCC Rules.

Service meters will be read at monthly intervals and as nearly as possible on the corresponding day of each monthly meter reading period unless otherwise authorized by the Commission.

Meter tests. The 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 without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be made during the utility's normal working hours at a time convenient to the customer. Whenever possible, the test will be made on the customer's premises, but may, at the utility's discretion, be made at the utility's testing facility. If within a period of two years the customer requests a new test, the utility will make the test, but if the meter is found to be within the accuracy standards established by the American Water Works Association, the utility will charge the customer a fee which reflects the cost to test the meter up to a maximum \$25 for a residential customer. Following the completion of any requested test, the utility will 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.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 R CCN 11061 MAY 25'94

D.A. APPROVED TARIFF BY V C

Section 2.06 - Billing

Bills from the utility will be mailed monthly unless otherwise authorized by the Commission. The due date of bills for utility service will be at least sixteen (16) days from the date of issuance. 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 and the regulatory assessment, is not received at the utility or the utility's authorized payment agency 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.

A late penalty of either \$2.00 or 5.0% will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied in a previous billing. The utility must maintain a record of the date of mailing to charge the late penalty.

Each bill will provide all information required by the TNRCC Rules. For each of the systems it operates, the utility will maintain and note on the monthly bill a telephone number (or numbers) which may be reached by a local call by customers. At the utility's option, a toll-free telephone number or the equivalent may be provided.

In the event of a dispute between a customer and a utility regarding any bill for utility service, the utility will conduct an investigation and report the results to the customer. If the dispute is not resolved, the utility will inform the customer that a complaint may be filed with the Commission.

<u>Section 2.07 - Service Disconnection</u>

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

The utility is encouraged 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 termination has been given.

Notice of termination must be a separate mailing or hand delivery in accordance with the TNRCC Rules.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCN 11061 MAY 25'94

D.A. APPROVED TARIFF BY VP al

Section 2.07 - Service Disconnection (cont.)

Utility service may also be disconnected without notice for reasons as described in the TNRCC Rules.

Utility personnel must be available to collect payments and to reconnect service on the day of and the day after any disconnection of service unless service was disconnected at the customer's request or due to a hazardous condition.

Section 2.08 - Reconnection of Service

Service will be reconnected within 24 hours after the past due bill and any other outstanding charges are paid or correction of the conditions which caused service to be disconnected.

Section 2.09 - 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. Except for momentary interruptions due to automatic equipment operations, the utility will keep a complete record of all interruptions, both emergency and scheduled and will notify the Commission in writing of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruptions.

<u>Prorated Bills</u> - If service is interrupted or seriously impaired for 24 consecutive hours or more, the utility will prorate the monthly base bill in proportion to the time service was not available to reflect this loss of service.

Section 2.10 - Quality of Service

The utility will plan, furnish, and maintain production, treatment, storage, transmission, and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by the Commission, the utility will maintain facilities as described in the TWC Rules or in the Texas Natural Resource Conservation Commission's "Rules and Regulations for Public Water Systems."

<u>Section 2.11 - Customer Complaints and Disputes</u>

If a customer or applicant for service lodges a complaint, the utility will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCN 11061 MAY 25'94

D.A. APPRUVED FARIFF BY 1 P al

Section 2.11 - Customer Complaints and Disputes (cont.)

of the investigation. If the complainant is dissatisfied with the utility's response, the utility must advise the complainant that he has recourse through the Texas Natural Resource Conservation Commission complaint process. Pending resolution of a complaint, the commission may require continuation or restoration of service.

The utility will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment or disposition thereof, for a period of two years after the final settlement of the complaint.

SECTION 2.20 - SPECIFIC UTILITY SERVICE RULES AND REGULATIONS

This section contains specific utility service rules in addition to the rules previously listed under Section 2.0. It must be reviewed and approved by the Commission and in compliance with TNRCC Rules to be effective.

None

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCN 11061 MY 25'94

D.A. APPROVED FARIFF BY V P ak

SECTION 3.0 - EXTENSION POLICY

Section 3.01 - Standard Extension Requirements

LINE EXTENSION AND CONSTRUCTION CHARGES. No contribution in aid of construction may be required of any customer except as provided for in this approved extension policy.

The customer will be given an itemized statement of the costs, options such as rebates to the customer, sharing of construction costs between the utility and the customer, or sharing of costs between the customer and other applicants prior to beginning construction.

The utility will bear the full cost of any oversizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage, or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, treatment or transmission facilities unless otherwise approved by the Commission under this specific extension policy.

COST UTILITIES SHALL BEAR. Within its certificate area, the utility will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified of the need to provide facilities to the utility, the utility may charge for the first 200 feet. The utility must also be able to document that the developer of the subdivision refused to provide facilities compatible with the utility's facilities in accordance with the utility's approved extension policy after receiving a written request from the utility.

Developers may be required to provide contributions in aid of construction in amounts to furnish the system with all facilities necessary to comply with the Texas Natural Resource Conservation Commission's "Rules and Regulations for Public Water Systems."

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCM 11061 MAY 25 94

D.A. APPROVED FARIFF BY VP of

SECTION 3.20 - SPECIFIC UTILITY EXTENSION POLICY

This section contains the utility's specific extension policy which complies with the requirements already stated under Section 3.01. It must be reviewed and approved by the Commission and in compliance with TNRCC Rules to be effective.

Residential customers not covered under Section 3.01 will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. However, if the customer places unique, non-standard service demands upon the system, the customer may be charged the full cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated to be created by that property.

Developers will be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local requirements and to comply with Texas Natural Resource Conservation Commission minimum design criteria for facilities used in the production, transmission, pumping, or treatment of water or Texas Natural Resource Conservation Commission minimum requirements. developer will be charged a fee per requested connection which is computed by dividing the replacement cost of plant in service by the number of customers. This charge will be made regardless if distribution lines are in place or not. This fee will be computed at the end of each fiscal year and stay in effect for a year. calculation will be filed at the utility's office. For 1994 For 1994, the amount will be \$2,137.00. For purposes of this subsection, a developer is one who subdivides or requests more than two meters on a piece of property. Commercial, industrial, and wholesale customers will be treated as developers.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 ROCM 11061 MAY 25'94

D.A. APPROVED FARIFF BY UP al

SECTION 4.0 - WATER RATIONING PROGRAM

In cases of extreme drought, periods of abnormally high usage, or extended reduction in ability to supply water due to equipment failure, temporary restrictions may be instituted to limit water usage. The purpose of the Water Rationing Program is to limit the total amount of water demanded from the utility and to encourage customer conservation.

Water rationing is not a legitimate alternative when water systems are deficient in meeting the Texas Natural Resource Conservation Commission's "Rules and Regulations for Public Water Systems" and the Commission Rules during normal use periods, or when the utility is not making all immediate and necessary efforts to replace or repair malfunctioning equipment.

Section 4.01 - General Provisions

DECLARATION OF WATER RATIONING: When there is an acute water supply shortage to such an extent that normal use patterns will no longer be possible, the utility may implement a water rationing program in the following manner.

NOTICE REQUIREMENTS: Written notice must be provided to each customer prior to implementing the rationing program. Mailed notice must be given 72 hours prior to the start of rationing. If notice is hand delivered, the utility cannot enforce the provisions of the plan for 24 hours after notice is provided.

Notice will be provided by telephone to the Commission prior to implementing the program and will be followed within 10 days with a copy of the utility's rationing notice. The customer's written notice will contain the following information:

- 1. the date rationing will begin;
- 2. the date rationing will end;
- 3. the stage of rationing and explanation of the restrictions to be implemented; and,
- 4. explanation of penalties for violations.

The utility must file a status report of its rationing program with the Commission every 30 days that rationing continues.

TEADS MYLLIBAL BESTIEDE CONSEDATION COMMISSION

30352 RCCN 11061 MY 25'94

D.A. APPROVED TARIFF BY V ah

SECTION 4.0 - WATER RATIONING PROGRAM (CONT.)

Section 4.01 - General Provisions (cont.)

VIOLATION OF RATIONING RULES:

- 1. First violation the customer will be notified by written notice of their specific violation.
- 2. Second violation after written notice the utility may install a flow restricter in the line to limit the amount of water which will pass through the meter in a 24 hour period. The cost to be charged to the customer's account will be the actual installed cost to the utility, not to exceed \$50.00.
- 3. Subsequent violations the utility may terminate 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.

EXEMPTIONS OR VARIANCES FROM RATIONING RULES: The utility may grant any customer an exemption or variance from the uniform rationing program for good cause. A customer who is refused an exemption or variance may appeal such action of the utility by <u>written</u> appeal 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.

RATES: All existing rates schedules will remain in effect during the rationing period, and no charges may be levied against a customer which are not contained in the approved tariff of the utility as filed with the Commission.

Section 4.02 - Stages of Rationing

Unless there is an immediate extreme reduction in water production, to declare an emergency or severe condition the Utility must initially declare Stage I rationing. If, after a reasonable period of time, demand is not reduced enough to alleviate outages, Stage II may be declared with Stage III to follow if necessary.

STAGE I (MILD RATIONING CONDITIONS): Under Stage I (Mild Rationing Conditions) the Utility may select only one of the alternatives listed below. Usage of water for outdoor purposes such as lawns, gardens, car washing, etc. will be restricted to:

1. <u>Alternate Day Use</u> - Customers with even numbered addresses may use water outdoors on even numbered days and customers with odd numbered addresses may water outdoors on odd numbered days. (When there are no addresses, North and West sides of streets: even days; South and East sides of streets: odd days.)

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCN 11061 MAY 25'94

D.A. APPROVED TARIFF BY UV and

SECTION 4.0 - WATER RATIONING PROGRAM (CONT.)

Section 4.02 - Stages of Rationing (cont.)

- 2. <u>Restricted Hours of Use</u> Outside watering is allowed daily only during periods described in the customer notices.
- 3. Every Five Day Use Customers whose addresses end in 0 and 1 may use water outdoors on the 1st day of the month; 2 and 3--on the 2nd; 4 and 5--3rd; 6 and 7--4th; 8 and 9--5th; 0 and 1--6th... and so on. The utility must provide a calendar noting the respective watering days and the order should remain consecutive as new months begin.

STAGE II (MODERATE RATIONING CONDITIONS): All outdoor water usage is prohibited except by hand held hoses with manual turn-on/off nozzles. Water usage for livestock is exempt

STAGE III (SEVERE RATIONING CONDITIONS): All outdoor water usage is prohibited; livestock may be exempted by the utility. All consumption may also be limited to each customer in one of the following ways:

- 1. An average of the customer's winter months' average to be uniformly applied on a systemwide basis, each customer being notified of this average amount;
- 2. Based upon technical data of the utility's facilities, a maximum number of gallons per meter (customer) per month, with notice to each customer of this number. Approval of the Commission must be obtained prior to implementing this restriction.

All meters shall be read as often as necessary to insure compliance with this program for the benefit of all the customers.

SECTION 4.20 - SPECIFIC UTILITY WATER RATIONING PROGRAM

This section contains a specific utility water rationing program in addition to the one stated under Section 4.0. It must be reviewed and approved by the Commission and in compliance with the TNRCC Rules to be effective.

None

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

30352 RCCN 11061 MY 25'94

D.A. APPROVED TARIFF BY UP al

APPLICATION FOR WATER SERVICE

PELICAN BAY UTILITY CO. 1713 PELICAN OVAL (817) 444-2982	19 <u>94</u>
NAME OF APPLICANT D.L. SERVICE ADDRESS DEPOSIT OF \$ 41.00 CONNECT FEE \$ 35.00 TAP FEE \$ TOTAL PAID \$ 76.00	O.B. S.S.# BILLING WATER ROUTE # WATER METER # METER READING LOT BLOCK UNIT
	RESIDENTIAL COMMERCIAL OWNER TENANT STANDARD RESIDENTIAL 5/8-3/4 INCH OTHER (STATE SIZE)
MACHINE MERCY	CT_CONTRACT_TIME_NNO_CONDITIONS
ML WATER WILL BE MEASURED BY METERS WHICE ARE MINO/OR CONNECTION IS FOR THE SCLE USE OF THE CUSTOM SHALL NOT SHARE, RESELL OR SUB-METER WATER TO ANY OR SHALL NOT SHARE, RESELL OR SUB-METER WATER TO ANY OR MUTEORIZATION OF THE UTILITY, AND IN COMPLIANCE WITH THE UTILITY BAS THE RIGHT TO LOCATE A WATER SERVICE THE CUSTOMER, AT A POINT MUTUALLY AGREEABLE TO BO MOCKES, AT ALL PEASONABLE TIMES, TO ITS PROPERTY AN PURPOSES OF MEMORIS THE WATER METER, REPAIRING OR PROPERTY OF THE TENAS WATER COMMISSION. THE CUSTOMER WILL INSTALL, AT HIS CAN EXPENSE, A GROUND WALVE ON THE CUSTOMER SHALL BOLD THE CUSTOMER WILL INSTALL, AT HIS CAN EXPENSE, A GROUND WALVE ON THE CUSTOMER SHALL BOLD THE CUSTOMER SHALL BOLD THE CUSTOMER SHALL BOLD THE CUSTOMER MINUS DISTABLISHED BY CUSTOMER. THE CUSTOMER METER INSTALLATION OF UTILITY SERVICE TO PROPERTY TO ITS OPICIONAL CONCITION AFTER INSTALLATION FROM THE POINT THE CUSTOMER MOCKESTY TO ITS OPICIONAL CONCITION AFTER INSTALLATION FERMIT MOYORE EXCEPT THE UTILITY'S EMPLOYEES TO THE WATER MOYORE EXCEPT THE UTILITY'S EMPLOYEES TO THE APPLICANT MAS BEEN SHOWN A COPY OF THE UTILITY TO PAY THE APPLICANT HAS BEEN SHOWN A COPY OF THE UTILITY.	METER AND THE PIDE MECESSARY TO CONSECT THE METER ON THE PROPERTY OF THE UTILITY AND THE CUSTOMER, THE CUSTOMER WILL ALLOW THE UTILITY OF EQUIDMENT LOCATED UPON THE CUSTOMER'S PREMISES, FOR THE LIMITED BELLINITIES, AND FOR THE PROPERTION OF CUSTOMER'S REPLACING EXISTING FACILITIES, AND FOR THE PROPERTION OF CUSTOMER'S PUBLICATION OF THE PUBLIC PROPERTY OF CROSS-CONSECTIONS, IN COMPLIANCE WITH THE EXPLICIT TO THE POINT OF USE, WHICE INCLUES A PROPERTY WILL BE PRESCONTIBLE FOR THE MAINTENANCE AND REPAIR WILLITY BLANGLESS OF ANY AND ALL CLAIMS OR DEMANDS FOR CAMAGE TO EARLY FORMER THES ON TO THE MATER METER TO THE FINAL EXPTINATION OF THE EST TO GRANT THE UTILITY AN EASINGMY/RIGHT-OT-WAY FOR THE PURPOSE OF METERS, VALVES, AND ANY OTHER EQUIPMENT WHICH MAY HE CUSTOMER'S IN OR REPAIRS. THE UTILITY WILL ANTEROPT TO RESTORE THE CUSTOMER'S NO OR REPAIRS. THIS EASINGMY MAY HE IN SUCH FORM AS IS REQUIRED BY THY'S EMPLOYERS IN THE DISCHARGE OF THEIR DUTIES. THE CUSTOMER WILL METERS WITH OR INTERFERE WITH ANY OF THE POULMENT INSTALLED ON THE WITH OR INTERFERE WITH ANY OF THE POULMENT INSTALLED ON THE
APPLICANT'S SIGNAUPE	