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March 1, 2013

Secretary of the Commission
Indiana Utility Regulatory Commission
101 W. Washington Street, Suite 1500 East
Indianapolis, IN 46204

Re: Pioneer Water, LLC
30 Day Filing – Revised Rules and Regulations

Following is a copy of a Verified Statement In Support of Change in Rules and Regulations, together with proposed revised rules and regulations for filing on behalf of Pioneer Water, LLC. In addition, a copy of the legal notice which is to be published in the East Allen Courier and at the Company's office has also been included. The proofs of publication from the newspaper will be forwarded upon receipt. Finally, a copy of the resolution authorizing this filing has been provided.

The Company is requesting approval of revised rules and regulations for water service via the thirty day filing procedures. These changes are requested in order to update, modernize and better reflect the terms of service currently offered by Pioneer Water, LLC. This filing is specifically allowable under the rule pursuant to 170 IAC 1-6-3(3). These changes will impact the terms of service for all customers.

Please forward a stamped approved copy of the rules and regulations to our office at your earliest convenience. If you or members of your staff have any questions or comments, please do not hesitate to contact me at the number listed above or via email at miller@umbaugh.com.

Very truly yours

UMBAUGH



Scott A. Miller

Enclosure

cc: Office of the Utility Consumer Counselor
Mr. Gordon Liechty

EXHIBIT 2

**LEGAL NOTICE OF FILING OF REVISED RULES AND
REGULATIONS BY PIONEER WATER, LLC**

Leo, Indiana

Notice is hereby given that Pioneer Water, LLC, Leo, Indiana, under and pursuant to the Public Service Commission Act, as amended, will file with the Indiana Utility Regulatory Commission on or about February 28, 2013 revised rules and regulations for water service provided by Pioneer Water, LLC. These revised rules and regulations will be applicable to all customers.

The revised rules and regulations are intended to update and replace the rules and regulations currently on file with the Indiana Utility Regulatory Commission and shall take effect following final approval by the Commission or April 1, 2013, whichever is later.

Objections to this filing can be forwarded to Secretary, Utility Regulatory Commission, 101 West Washington Street, Suite 1500 East, Indianapolis, Indiana 46204 and Office of Utility Consumer Counselor, 115 West Washington Street, Suite 1500 South, Indianapolis, Indiana 46204.

PIONEER WATER, LLC

Leo, Indiana

By: _____
Gordon Liechty, Member

PIONEER WATER, LLC

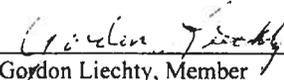
RESOLUTION 2013-__

WHEREAS, Pioneer Water, LLC was heretofore established by Order of the Indiana Utility Regulatory Commission, and:

WHEREAS, the Company was organized for the purpose of providing water service including treatment and distribution for domestic use through mains, pipes and conduits within the Leo Cedarville area located in Allen County Indiana,

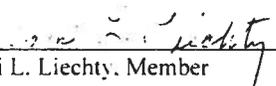
NOW THEREFORE, be it resolved that Pioneer Water, LLC is hereby authorized to apply to the Indiana Utility Regulatory Commission via the 30 day filing process for revisions to the Company's rules and regulations for water service.

Dated: This 28 day of FEBRUARY, 2013



Gordon Liechty, Member

ATTEST:



Naomi L. Liechty, Member

RULES & REGULATIONS
OF
PIONEER WATER LLC

9601 PIONEER TRAIL
LEO, INDIANA
46765
(260) 627-2730

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RULES AND REGULATIONS

ADOPTION

The following Rules and Regulations for the operation of the water system and service of **Pioneer Water, LLC**. (The Utility) have been adopted, subject to subsequent amendment, addition, deletion and changes as may be necessary from time to time to meet the needs of the Utility, and shall be a part of any contract with every person and/or entity who uses the water service supplied by said Utility. Every person by accepting such service shall be conclusively presumed to have knowledge thereof and to have expressed his consent to be bound thereby.

A copy of these Rules and Regulations as well as a schedule of the Utility's rates and charges shall be on file with the Indiana Utility Regulatory Commission (IURC). A copy will also be on file and available for inspection during normal business hours in the Utility's office at 9601 Pioneer Trail, Leo IN 46765.

Upon request by the applicant or customer, the Utility shall furnish, without charge, a copy of its rate schedules.

GENDER STATEMENT

For simplification purposes, the masculine gender pronoun is used throughout these "Rules and Regulations", but represents both the masculine and the feminine pronoun.

ARTICLE I – DEFINITIONS

Where applicable, the definitions set forth in the Indiana Code 8-1-2-1 shall be applicable to these "Rules and Regulations" and the following words as used herein, shall have the following respective meanings:

APPLICANT: any person applying for water service; a prospective customer.

COMMISSION: the Indiana Utility Regulatory Commission (IURC), that State body empowered with the ultimate authority to approve or amend rates and charges assessed and collected by the Utility.

CONSTRUCTION WATER: is water to be used on a temporary basis that is necessary to complete the construction of the building facility and/or a premise, and shall not include water to be used for domestic, irrigation or landscaping purposes.

CROSS CONNECTION: a physical connection to a private water supply, a tank or reservoir, swimming pool, lawn sprinkler, fire sprinkler main, plumbing fixture, or other appurtenance by which polluted, contaminated or otherwise undesirable water may enter a public system.

CURB BOX or STOP: a valve owned by the Utility, which is placed near the curb in or near the right-of-way for turning on or shutting off water to the premises, to which the customer's service line is attached.

CUSTOMER: any individual, firm, corporation, municipality or other government agency that has agreed, orally or otherwise, to pay for water service(s) received from the Utility.

DEFRAUDING UTILITY: the act of requesting or receiving Utility service(s) under fictitious circumstances or any other act done with the intent to deprive the Utility of its right to payment.

DISCONNECTION: the termination or discontinuance of water service.

DISTRIBUTION MAIN: the pipe, owned by the Utility, located in a street, easement, road, right-of-way and/or alley used to deliver finished potable water.

DISTRIBUTION SYSTEM (PUBLIC): a network of water mains and appurtenances that deliver potable water from the water plant to the user.

INDIANA UTILITY REGULATORY COMMISSION (IURC): that State body empowered with the ultimate authority to approve or amend rates and charges assessed and collected by the Utility.

LATE PAYMENT CHARGES: the one-time penalty assessed by the Utility upon all current bills at such time as they become delinquent.

METER: mechanical device owned by the Utility, which measures and records the quantity of water supplied to the consumer. The meter is the official recorder of the amount of water consumed by a customer.

MONTH: the period between any two consecutive regular billings by the Utility for service(s) rendered to the customer at his premises. Such billings are scheduled at intervals of approximately thirty (30) days.

MONTHLY METER SERVICE FEE: a charge assessed to each customer to recover administration costs and those associated with billing, meter reading and maintenance of the water system, based on the size of the meter.

OWNER: For the purpose of these Rules and Regulations, the owner is the person holding the deed or recorded title to the premises. A contract purchaser is considered an owner of an equitable interest in the real estate. Recordation of said contract is not needed to validate said interest. Said contract must meet the minimum requirements of Indiana Code 32-21-1-1 et. seq.

PERSON: any individual, firm, partnership, company, municipal or private corporation, commercial establishment, association, society, institution, enterprise, governmental agency or other legal unit or entity.

PLUMBER: a person licensed in the State of Indiana to perform plumbing services and engaged in the plumbing business, that offers his services to a present or prospective water consumer on a per diem, per hour, or contract basis.

PREMISE: a dwelling, building, structure or parcel of real estate that is normally supplied with water through one separate service pipe and meter installation.

PRIVATE FIRE SERVICE: a privately owned arrangement of pipes, fixtures and devices designed for stand-by service from which water is taken only for the extinguishment of fires.

PRIVATE MAIN: a privately owned pipe connected to the Utilities distribution system and used to deliver water for private fire service purposes or general service purposes. Service rendered through such private mains shall be billed directly by the Utility in accordance with established rates unless otherwise provided by written contract.

REMOTE READING DEVICE: a device placed on the outside of a customer's establishment or residence, which is connected to the meter by means of a wire, to enable meter readers to obtain reads without having to enter the facility. The remote reading device is not the final gauge of the amount of water consumed by a customer and a reading taken directly from the meter supersedes a reading obtained from the remote device. However, bills are regularly calculated based on the monthly reading from remote reading devices.

SERVICE: the portion of pipe situated between and including the tap and the curb box, which is installed by the Utility and/or a contractor and maintained by the Utility after the expiration of any applicable maintenance bond.

SHALL: mandatory; MAY means permissible.

SPECIAL PURPOSE WATER: water usage that is temporary in nature and does not follow normal meter installation and billing procedures.

TAP / CORPORATION STOP: a fitting owned by the Utility and inserted in the distribution main to which the curb box and service line is attached.

THEFT OF UTILITY SERVICE: the act of obtaining or receiving water service from a fire hydrant or other water source without written permission (i.e. contract from the Utility, and with intent to avoid payment for said water service.)

TWO-ON-ONE: a water service that has one tap in the water main and one pipe leading to one curb stop from which two or more customers receive service.

UTILITY: Pioneer Water, LLC. from the town of Leo-Cedarville, Indiana, having its principal office at 9601 Pioneer Trail, Leo-Cedarville, IN 46765. Its successors and assigns of said Utility being engaged in the business of rendering water services in the town of Leo-Cedarville, Indiana and its environs.

ARTICLE II – REGULATIONS AND CONSUMER INFORMATION

RULE 1. RULES AND REGULATIONS ON FILE

The customer is subject to the Indiana Utility Regulatory Commission (IURC) rules, regulations and standards of service for water utilities in Indiana (170 IAC 6-1-1, et. seq.), as amended from time to time, which are available from the IURC, PNC Center, 101 West Washington Street, Suite 1500 E, Indianapolis, Indiana 46204. The IURC Rules and Regulations take precedence over Pioneer Water, LLC. (The Utility Rules and Regulations) in the event of a conflict.

RULE 2. NOTICE OF PROPOSED RATE CHANGE

Whenever the Utility shall file a petition with the IURC for a change in its rate schedule, the Utility shall give notice thereof to all of its customers. Such notices shall be sufficient if made in a general mailing to all customers, in its billing mailings, or if by publication as a legal notice in a newspaper of general circulation in the locality. Such mailing or publication shall be made after the filing of the Petition and prior to the date of public hearing. The notice shall contain a clear and concise explanation, fairly summarizing the nature and extent of the proposed change, and shall give notice of the date, time and location of any public hearing thereon.

ARTICLE III – WATER SERVICES

RULE 3. CONTRACT REQUIRED

No one shall be authorized to tap into the Utility's mains without first giving notice to the Utility and receiving a permit along with written permission from the Utility.

No promises, agreements or representations by any agent, employee or authorized representative of the Utility shall be binding upon the Utility unless the same shall have been incorporated in all copies of a written consent before such contract is signed and approved by the Utility.

The Utility shall not be required to provide water services, on a temporary or permanent basis, unless there is a written service application or contract, acceptable to and on file with the Utility. The Utility shall also recognize as contracts the existing verbal arrangements with customers who previously requested water service by telephone.

Before startup of service, the applicant may be required to show two (2) positive proofs of identification. (i.e. government-issued picture ID, certified copy of birth certificate, verifiable Social Security card, Passport or Visa).

If applicant is leasing or buying on contract the premises where water service is sought, a copy of the current lease or contract purchase agreement must also be provided to the Utility, where it will be kept on file with the contract for service. All occupants must be identified.

Business customer contracts shall be executed by an individual with authority to bind the business and shall be accompanied by assurance of payment satisfactory to the Utility management.

A written contract for service shall be in full force and effect until the party contracting for service notifies the Utility that he/she wishes to terminate the service, or until legal documentation of property ownership change has been provided, or until proof of the new customer's identity and date of transfer has been provided to the Utility.

The Utility may reject an application for any of the following reasons:

- A. If the Utility shall determine that the applicant has or is defrauding or attempting to defraud the Utility.
- B. If the Utility shall determine that the applicant has an unpaid balance, unless the applicant shall pay said balance in full or make payment arrangements prior to new service, provided, however, that if the applicant shall have been discharged of the debt or obligation by proceedings in the United States Bankruptcy Court, service shall not be refused for failure to pay said unpaid balance.
- C. If the Utility shall determine that a service address has experienced customers with excessive uncollected billings during the most recent two (2) years, and such billings total in excess of \$400.00, a contract from any applicant other than the property owner(s) shall be rejected.
- D. If the Utility shall determine that a service address has been occupied and water has been used without a valid customer contract for a period of one (1) year, a contract from any applicant other than the property owner(s) shall be rejected. Additionally, the property owner shall be billed for the services used while services were considered off.
- E. If the Utility shall determine that the use or condition of the premises would result in water pollution or damage to property of the Utility or to others, or if condition would result in violation of any ordinance or statute.
- F. If the Utility shall determine that the use or condition of the premises, or the actions of the customer, or any person acting on behalf, or with the permission of the customer, shall violate any duly adopted Rule or Regulation of the Utility.

If the Utility denies service it shall notify the applicant stating the precise facts upon which the Utility based its determination.

In the event that any person shall be aggrieved by any determination of the Utility under the foregoing, that person shall be granted an Administrative Appeal in accordance with Rule 38 of these Rules and Regulations.

RULE 4. CONTRACT ASSIGNMENT

The benefits and obligations under any contract for water service by the Utility shall start when the Utility begins to supply water service, and shall inure to and be binding upon successors, assigns, survivors, or legal representatives, as the case may be, of the original parties thereto, for the full term thereof. This is provided that no assignment thereof by the customer or by any successors, assigns, survivors or legal representatives shall be effective unless and until the Utility's written consent is obtained. If the original customer fails to inform the Utility, and obtains its approval for such an assignment, the Utility, at its sole option, may hold the original customer responsible for any and all charges incurred at the service address unless or until approval is granted.

The Utility may hold the property owner(s) responsible for any and all charges incurred at a service address where it finds that services have been turned on and used without a binding contract for such services.

RULE 5. CONTRACT MODIFICATION

No promises, agreements or representations by any agent of the Utility shall be binding upon the Utility unless they have been incorporated into a written contract signed and approved by an agent of the Utility authorized to sign such contract on behalf of the Utility.

RULE 6. DEPOSITS

An applicant may be required to deposit with the Utility a minimum deposit based on the current schedule as approved by the IURC, as a guarantee against non-payment of billings for water service.

The Utility may require an existing customer to make a cash deposit when the customer's bill has been delinquent for two (2) consecutive months or for any three (3) months within the preceding twelve (12) month period, or when the service has been disconnected pursuant to Rule 31 of these Rules and Regulations. The amount of such deposit shall not exceed an amount equal to the greater of two months' billings at the service address, or be less than the minimum amount currently approved by the IURC. In the event that a deposit is required as a result of actual disconnection or dispatch of a service order to the Utility service person requesting disconnection for non-payment, full payment of the deposit plus the delinquent bill may be required prior to reconnection.

The deposit shall be retained until the customer has completed twelve (12) consecutive months of prompt, non-delinquent payment. The deposit shall thereafter be applied to the account. Any delinquency or late payment shall start the twelve-month period running again.

Upon notification from a qualified not-for-profit organization or governmental agency that a customer will be receiving assistance in paying a bill to the Utility, the customer's deposit may be applied to the account balance.

The deposit shall be handled in the following manner upon customer requested termination of service:

- A. The Utility shall require payment of any past due or current balance billed and owing at the time of termination.
- B. The Utility shall apply the deposit to the final bill or transfer it to the new service address account if new service is within the Utilities service area.
- C. If applied to the final bill, any portion of said deposit remaining after such application, which is greater than \$2.00, shall be automatically forwarded to the customer.
- D. Where any deposit has been applied to payment of arrearage, the Utility may require a new deposit before service is reconnected.

The Utility shall maintain a record of each applicant or customer making a deposit that show:

- A. The name of the customer.
- B. The current address of the customer so long as he maintains the active account with the Utility in his name.
- C. The amount of the deposit.
- D. The date the deposit was made.
- E. A record of each transaction affecting such deposit.

Any deposit made by the applicant, customer, or any other person with the Utility (less any lawful deductions), which has remained unclaimed after the Utility has made diligent efforts to locate the person who made such deposit or the heirs of such person, shall be presumed abandoned. Said funds shall be deposited in the operating fund of the Utility (per Indiana Code 32-9-1-2.5).

RULE 7. DESCRIPTION OF SERVICE TO BE FURNISHED

Upon request, the customer shall present to the Utility a written list of devices that are to be attached to the Utility's lines, giving the location of the building. The Utility may then advise the form and character of the supply available.

RULE 8. CONNECTION AND INITIATION

- A. Until an approved contract for water service has been executed and a meter has been installed, or arrangements are made to pay for special purpose water usage, water shall not be turned on at any premises. Water shall not be turned on unless there is at least one adult person, 18 years of age or older, present to see that all water outlets on the premises are closed in order to prevent water leakage or damage. Only a Utility representative shall turn on water.
- B. The Utility may operate private curb stops and service valves, at the Utility's discretion, when possible. However, in operating same, the Utility shall not assume responsibility for any damage or leakage that may occur. Any repairs to private facilities shall be at the customer's expense. It is the customer's responsibility to maintain private curb stop(s) in operating condition, at an accessible location.
- C. A fee in an amount approved by the IURC shall be charged by the Utility for turning water service off and on again for the purpose of making repairs to a private plumbing system, for an extended absence, or any other reason when done at the request of, or for the benefit and/or convenience of the customer.
- D. Reconnection of the service following shutoff under paragraph C is included in the initial service charge; however, if the Utility schedules an appointment for turning on the service and for any reason the customer fails to keep that appointment necessitating an additional trip to the premises by the Utility, the service charge shall be doubled, and added for each and every additional service call.
- E. When water is required to test plumbing before a water contract has been extended and a meter installed, a Utility employee shall be called to make the turn-on and turn-off. It is a violation of the Utility's General Rules and Regulations for anyone other than a Utility employee to make any such turn-on. Violation of this rule shall be considered theft and may result in actions listed in Rule F below.
- F. No person other than an authorized representative of the Utility or the Fire Department shall remove the nozzle cap or open any fire hydrant to which water is supplied by the Utility. Any violation of this rule shall be considered theft of Utility property and services and the offender shall be subject to payment for the estimated quantity of water used or wasted, plus prosecution for same, during the period the water was turned-on without authority from the Utility.
- G. The director of the Utility may, from time to time, promulgate policies respecting the scheduling and billing of service calls to effectuate the intention of these Rules and Regulations.

RULE 9. DISCONTINUANCE AND DISCONNECT

The Utility shall not be liable for any failure, delay or damages in case of failure caused by strikes, an act of God, unavoidable accidents, or contingencies beyond its control.

In the event any loss or damage to the property of the Utility, or any accident or injury to persons or property, is caused by or results from the negligence or wrongful act of the customer, his agent or employees, the cost of the necessary repairs or replacements shall be paid by the customer to the Utility and any liability otherwise resulting shall be assumed by the customer.

- A. Upon the customer's request:
 - 1. The customer shall notify the Utility at least three (3) working days in advance of the day discontinuance is desired. In the case of discontinuance of a private fire protection service, the customer's notice shall be in written form, signed by an authorized agent or representative of said customer's insurance company. If the customer is other than the property owner, customer shall also provide to the Utility written approval by the property owner for the disconnection of private fire protection service. The customer shall remain responsible for all service used and the billings there for until service is discontinued pursuant to such notice.

2. The Utility shall discontinue water service within three (3) working days of a customer's requested discontinuance date. The customer shall not be liable for any service rendered to such address or location after the expiration of these three (3) working days.
3. The customer is responsible for providing access to the premises for an inside actual final meter reading. Failure to do so shall result in the Utility rendering a final bill based on an average of previous consumption. No billing adjustments shall be made in the case where the Utility was unable to obtain a final read due to the customer's unavailability. However, if at a later date the Utility obtains a higher read showing additional actual consumption to a third party or new customer commencing service, the previous customer shall be responsible for the charges incurred for the additional finalized consumption registered on the inside meter.
4. There shall be no abatement of charges in whole or in part due to any extended absence of the customer for any cause unless the Utility has been notified to turn off the water prior to the absence.
5. When water service is temporarily discontinued at the request of the customer, a charge approved by the IURC to cover the expense of turning the water on and off shall be made.
6. The Utility shall disconnect service upon customer request only between the hours of 9:00 a.m. and 4:00 pm. Monday through Friday, prevailing local time, unless an emergency exists.

B. Without the customer's request:

1. At its sole discretion as provided in 170 IAC 6-1-16, the Utility reserves the right to discontinue service to all or any part of the customer's premises without notice to the customer, for the following reasons:
 - a. When an emergency exists, if conditions dangerous or hazardous to life or physical or property safety exists.
 - b. For any, fraudulent or unauthorized use of any part of the water distribution service not authorized by the Utility and the Utility has reasonable cause to believe the affected customer may be responsible for such tampering.
 - The above stated discontinuance shall not, however invalidate any contract and said Utility shall have the right enforce any contract or agreement notwithstanding such discontinuance and subject to the IURC.
 - c. Upon discovery of unprotected cross connection of a customer's water pipe lines to any other source of water supply or for permitting any condition to exist about the premises that causes or might cause contamination and/or pollution of the public water supply, or any part thereof.
 - d. Upon orders by any court, IURC or other authority having jurisdiction of such matters.
 - e. Upon discovery of improper installation of a new service pipe and appurtenances or alteration or removal of existing service pipe and appurtenances, including the meter, without necessary approval from the Utility.
 - f. For waste or use in excess of contract by a customer on a special purpose un-metered rate, or improper use of construction water.
 - g. For any tampering by customer or if customer knowingly permits any tampering with any service pipe, curb stop or service valve, meter or meter seal, meter bypass valves or any other appliance or equipment owned by the Utility.
 - h. When premises are found to be vacant without notice to the Utility and/or payments are not current
 - i. If customer issues or causes to be issued any invalid form of payment (for example, a bad check, and invalid bank account number, invalid credit card number, etc.) to avoid termination of service.
 - j. Any customer(s) check returned unpaid for any reason shall be subject to a service charge as approved by the IURC and according to the schedule of rates and charges listed in these Rules and Regulations.
 - k. For failure to comply with the terms of a Credit Extension Agreement.
 - l. For failure to pay a cash security deposit when required.
 - m. For any action or failure to act, in violation of and federal, state or local law which, in the opinion of the director of the Utility, poses a danger to the public, the Utility or the environment or has the potential to cause the Utility to violate any federal or state permit.

2. The Utility may disconnect service, with written notice to and without request of the customer, for:
 - a. Failure to repair any leak in the service pipe or appurtenances between the curb box and the meter, or in any private fire protection system or other un-metered facility.
 - b. Failure to timely pay in accordance with Rule 9.2.e.f.g of the Utility Rules and Regulations, any water bill or other charges in connection with water utility service, installations or facilities at the service address, other service address, or otherwise, except as noted hereafter.
 - c. Failure to provide unobstructed and non-hazardous access to the premises and meter, appliance and/or other Utility-owned equipment so that representatives of the Utility may take meter readings, make all necessary inspections, and maintain, replace, or remove the meter, appliances and/or equipment of the Utility.
 - d. Failure to maintain approved meter settings, including pits and vaults.
 - e. Failure to pay any account or amount owing to the Utility for damage to Utility property, or for labor or material furnished to repair the damage.
 - f. Whenever the service is discontinued for non-payment or other reason beyond the control of the Utility, the customer shall be obligated to pay a reconnect fee as specified in the schedule of rates and charges of the Utility and approved by the IURC.
 - g. Service discontinued for non-payment of bills will be restored only after all bills are paid in full plus any late fees and charges associated with said disconnect.

3. The general conditions for disconnection without customer request are as follows:
 - a. The Utility shall give written notice either mailed to such customer at his billing address as shown on the Utility's records or personally delivered to him or to an adult person 18 years of age or older on the premises, advising the customer of the proposed discontinuance of service and stating that service shall be discontinued if the reason continues uncorrected. Whenever feasible, this notice shall be given at least five (5) days in advance of the disconnection.
 - b. The Utility shall not disconnect service for non-payment on any day on which the Utility's offices are closed to the public or on the day immediately preceding any day on which the Utility office is not open to the public.
 - c. A service charge approved by the IURC shall be assessed for any administrative action associated with such disconnect. In the event a customer shall have corrected the deficiency or default so that disconnect becomes unnecessary, the Utility may waive the assessment of said service charge.
 - d. Utility personnel in the field shall accept NO payments in lieu of disconnection. The customer must deliver the payment in person at the office of the Utility during the regular office hours.
 - e. Following disconnection, water service to the premises shall be renewed upon proper application when the conditions under which service was discontinued have been corrected to the satisfaction of the management of the Utility, when all charges due from the customer have been settled, and when arrangements have been made to provide access to the premises during the next or any subsequent regular working day. Same day service may be available at an additional fee, in accordance with the Utility's Rules and Regulation rate schedule. Charges for same day service shall be collected in advance.
 - f. If the shutting off or renewal of service involves any excavation work by the Utility, the cost of such work shall be borne by the customer, and the Utility shall not be responsible for any damage done to the property as a result of such excavation work.
 - g. If the conditions under which service was discontinued have not been corrected within thirty (30) days, the Utility shall have the right to finalize the account. In the absence of a final read, the Utility shall render a final bill based on an average of previous consumption. If arrangements are made for a final read within seven (7) working days following the date of the final bill, billing adjustments shall be made. No adjustments shall be made after the expiration of the seven (7) day period, except as stated in Rule 9 of these Rules and Regulations.

- h. Reconnection of the service is included in the initial IURC approved service charge for next day service. However if the Utility schedules an appointment with the customer for turning on the service or for any other reason and the customer fails to keep that appointment necessitating an additional trip to the premises by the Utility, an extra charge shall be added for each and every additional service call.
- i. If following a disconnection the Utility shall determine a customer's water service has been turned on without authorization, the Utility shall turn off the water and may take steps to prevent any future unauthorized turn-on. The customer shall be charged for a service call, together with the cost of labor and materials required, and may be prosecuted for theft of Utility property and services. Further, if persistent problems occur with regard to unauthorized usage, the Utility may require that the property owner(s) establish and maintain the account in their name(s).
- j. In the event any person shall be aggrieved by any determination by the Utility under the foregoing, said person may file a written appeal requesting a hearing before the board of the Utility in accordance with Rule 38.

RULE 10. PROHIBITED DISCONNECTION

Except in order to reduce the potential of leakage from the Utility's distribution system, when water service is no longer needed at a service address, the Utility shall disconnect the service from the distribution main supplying it, and the expense for said disconnection shall be borne by the property owner and/or developer, as outlined in the latest revision of the Utilities "POLICY AND PROCEDURE FOR WATER SERVICE DISCONNECTIONS – BUILDING DEMOLITIONS", in accordance with Rule 9 B.

- A. As otherwise provided, the Utility shall postpone or cause to be postponed the disconnection of service under Rule 9-B for ten (10) days if, prior to the disconnect date specified in the disconnect notice, the customer provides the Utility with an approved medical statement from a licensed physician or public health official, which states that disconnection would be a serious and immediate threat to the health or safety of a permanent resident in the household of the customer and executes an agreement to pay for the service. The postponement of disconnection shall be continued for one (1) additional ten (10) day period upon the furnishing of an additional medical statement.
- B. The Utility shall not disconnect service to the customer:
 - 1. Upon customer's failure to pay for the service rendered at a different metering address residence or location unless such bill has remained unpaid for at least forty-five (45) days, in accordance with Rule 31. A.
 - 2. Upon customer's failure to pay for services rendered to a previous occupant of the premises to be served, unless the Utility has good reason to believe the customer is attempting to defraud the Utility by using another name and/or I.D.

RULE 11. PERMANENT DISCONNECTIONS

In order to reduce the potential of leakage from the Utility's distribution system, when water service is no longer needed at a service address, the Utility shall disconnect the service from the distribution main supplying it, and the expense for said disconnection shall be borne by the property owner and/or developer.

RULE 12. REALE OF WATER PROHIBITED

The water or service furnished under these Rules and Regulations is for the use of the customer on his own designated premises, and shall not, without written consent of Utility, be resold or extended by customer to serve additional lots, premises or improvements.

RULE 13. INCREASE IN LOAD

The service connections and meters supplied by the Utility have definite capacities; no substantial addition to the water consuming equipment or appliance connected thereto shall be made except after written notice to and written consent by the Utility.

RULE 14. INTERRUPTION OF SERVICE

The Utility shall not be responsible for any of the following: any damages, any failure to supply water service, for interruption of the supply of water, for defective piping on the customer's premises, for damages resulting to a customer or to third persons from the use of water or the presence of the Utility's devices on the customer's premises.

ARTICLE IV- SERVICE CONNECTIONS

RULE 15. WATER MAIN EXTENSIONS

The Utility requires a party or parties, firms and/or corporation(s) to pay for the cost of the extensions required to adequately serve them with water for domestic, commercial and/or fire protection. This policy intends to place the cost of installation of local water mains upon the owners of the properties benefited.

- A. This includes any expense of cutting and replacing any street, sidewalks, or alley paving for the initial construction, and shall be paid for by the property owner(s) and/or contractors performing said work. Such main extensions(s) shall be made in accordance with the latest revisions of the Utility's WATER MAIN EXTENSION POLICY, which is by reference incorporated herein.

- C. All pipe, tile, valves and other equipment furnished by and at the expense of the Utility, which at any time be on or in the customer's premises, unless expressly provided for, shall be and remain the property of the Utility, and no one who is not an authorized agent of the Utility shall be permitted to tamper alter or remove such property.

RULE 16. DEFERED PAYMENT

Persons tapping into a water main extension shall be required to pay their pro-rata share of the construction cost; that portion reimbursable to a previous contributor of the main extension may, by written agreement, be collected by the Utility, together with the Utility's share of the cost reimbursement, if any, and shall be forwarded to the person entitled thereto.

The management of the Utility may, periodically issue policies establishing the procedures to carry out the intent of this Article.

In order to provide temporary water service to a property that is not served by a water main, the Utility may enter into a TEMPORARY SERVICE AGREEMENT with the property owner.

Prior to providing temporary water service, the owner must execute a document provided by the Utility which specifies that the owner or assigns will participate in the installation costs if a public water main is extended to the property, will assume all expenses associated with installing the temporary service and/or tapping into the new main, and waives the right to remonstrate against a petition project that proposes to extend water service along the frontage of the affected property.

RULE 17. SERVICE CONNECTIONS

For all service, a renting customer shall obtain written permission from the owner(s) on the Utility form(s). This consent from the owner will grant the necessary permission for the installation and the maintenance of the premises on, over or through all private property of all pipe, tile, or equipment that may be deemed necessary or convenient to supply water service.

Each customer shall grant, convey, or shall cause to be granted or conveyed to the Utility a permanent easement and right of way across any property owned or controlled by the customer when such permanent easement and right of way is necessary to enable the Utility to furnish service to the customer.

The Utility shall not be responsible for damages for any failure to supply service, or for defective installations on the customer's premises, or for damage resulting to a customer or third party from the premises of the Utilities, pipe, tile or equipment.

- A. For properties not currently served by the Utility, or those desiring additional service, application should be made to the Utility office. Determination of availability and all costs, including assessments, tap fees, and any other applicable fees shall be made depending upon location and size of service requested. All fees shall be satisfied prior to service installation. Tap fees include the installation of service from the water main to and including the curb stop, except in cases of taps larger than two inch (2"), (see Rule 17-C of these General Rules and Regulations). Installation of the service from the valve to the building is the sole responsibility of the property owner. The property owner shall assure all necessary permits and/or inspection requirements are satisfied through the Leo-Cedarville Plan Commission as well as the Allen County Building Department. Final inspection and approval from these departments is required prior to the installation of a water meter by the Utility. The management of the Utility at its sole discretion, under certain circumstances, executes special agreements for supplying water to properties not adjacent to a Utility water main as described in the WATER MAIN EXTENSION POLICY.
- B. The Utility reserves the right to determine the placement of each service connection so the curb stop shall, as a general rule, be located between the present or proposed sidewalk and the curb, or at such other location that shall, in the judgment of the Utility, provide a safer, more convenient or more satisfactory location for the curb stop and curb box.
- C. Except as outlined in the DEVELOPER INSTALLED WATER TAPS POLICY, the Utility shall furnish the labor, equipment and materials for, and install or cause to be installed, the service connection, which includes the tap in the main, the curb stop and box and that portion of the service between them. The customer shall pay the Utility for the cost of such service connections installed or caused to be installed by the Utility. For one inch (1") through two-inch (2") services totally installed by the Utility, a standard price shall be charged. Any services requiring longer than usual run or runs made in congested areas, plus services four-inches (4") and larger, the actual or estimated cost of the service connection shall be charged.
- D. The customer, at his own expense, shall install or cause to be installed, the private portion of the service pipe beyond the curb stop and into his own premises. The Utility shall not be responsible for any part of the customer's water service line beyond the Curb box connection. The Utility reserves the right to inspect (subject to inspection charges) each service run made by any person or contractor, for proper materials and depth of service before the service trench is backfilled. The Utility must be informed when the work is completed so an inspection may be performed prior to backfilling. If notice is not provided, the property owner may be required to uncover the work so the inspection may be performed or that a performance bond be purchased to insure that future repairs can be made. Additionally, the quality of materials and workmanship in the private portion of the service shall be the customer's responsibility, but must comply with State Plumbing Code and the Utility's specifications and standards as outlined in the Utility's Rules and Regulations.
- E. Service pipes three inches (3") and larger in diameter shall be disinfected and tested in accordance with ANSI/AWWA C651-99, or latest revision, at the customer's expense, before the water supply to such service pipes is turned on for usage. The customer or the contractor representing the customer shall perform the disinfection and testing of such service pipes. Results of bacteriological testing carried out per AANSI/AWWA C 651-99, or latest revision, shall be reported in writing to the Utility by a laboratory qualified to make such an analysis and acceptable to the Utility.

- F. As a general rule, water service shall be furnished through a single service pipe to only one property or address. Where a single property consists of several units or buildings, and is served by a single service pipe, the property owner has the option of valving and metering each unit or building separately, in which case a separate curb stop must be provided outside the building and accessible to the Utility for each metered unit or building.
- G. In a case where a service has been installed prior to the adoption of and not in accordance with these Rules and Regulations, where water is being taken through a single curb stop to supply two (2) or more units, buildings or premises, each property owner benefiting from such arrangements shall be responsible for the payment of his own water bill and all other legitimate charges. For billing purposes, the account(s) must remain in the name of the property owner(s).
- H. Where a "two-on-one" service exists, and the Utility has experienced problems in enforcing shut-off policies because one customer keeps their account current and the other customer is in a delinquency status or wishes to terminate the account, the Utility has adopted the following policy, specifically:
 - 1. In the event that one customer served becomes delinquent, the Utility shall ascertain the location and status of water services.
 - 2. If it is determined that a "two-in-one" service exists, and curb boxes can be located within public right-of-way, and if the Utility can install separate curb stops and boxes on each branch of the service, the cost of labor and materials shall be borne by the Utility.
 - 3. It is specifically not the function of the Utility to determine which customer shall be required to install the curb stops and boxes or new taps and service lines. Unless and until such required item are installed so the Utility has access to each curb stop within a public right-of-way serving each separate customer, the Utility shall not be required to provide water service through any curb stop through which more than one customer receives water.
 - 4. If separate curb stops and boxes cannot, in the opinion of the Utility management, be installed in public right-of-way, the Utility shall have the authority to order property owners to separate the "two-in-one" service by installing separate curb stops and boxes, or by having installed a new tap and service installed to the properties. Such order shall be sent to the property owners by certified mail, receipt requested, along with a copy of this Rule.
 - 5. If the property owners fail to respond to the Utility via a letter of intent within ten (10) days of the certified notification, the Utility may terminate water service to all affected customers, in accordance with Rule 9 of these Rules and Regulations, the Utility shall then have the "two-in-one" water service separated, after notifying the property owners in writing of the decision to do so. Such notification will be sent to the property owners by certified mail, return receipt requested.
 - 6. When the Utility separates the "two-in-one" service, or has the separation made, the Utility shall have the authority to charge the affected property owners for the total cost of the service separation. Billing for the separation will be rendered to the affected property owners by the Utility.
 - 7. In the event a "two-in-one" serves a multi-unit building, the Utility shall require all billing accounts to be kept in the property owner's name until separate curb stops and boxes are installed. The Utility also reserves the right to order appropriate measures on an individual basis according to the situation.
- I. All service lines three inches (3") and larger in diameter, shall be ductile iron pipe or C900 PVC pipe; all service lines less than three inches (3") shall be type "K" copper with brass fittings and valves from the curb stop to the meter or 200# test CPS poly ethylene tubing. All service lines must have a #10 insulated copper tracer wire installed in the trench with the pipe and brought up the outside of the curb box riser pipe as well as exposed at the location of the water meter. No service pipe shall be less than one inch (1") CPS and all service lines shall be installed with a minimum of four feet (4') of cover.
- J. Service, curb stops, service boxes, meter pits, stop and waste valves and other fixtures used in the installation of, repairs to or additions to service shall be of a type and quality approved by the Utility. The material and supplies of any manufacturer, which are in accordance with the Utility's materials standards, may be used.

- K. A new service between the distribution main and a building shall be run in a direct line, whenever it is practicable and possible, without bends and at a depth of not less than four feet (4'). Service shall not be laid in the same trench with sewers or any other conduit unless approval has been given in writing from the Utility.

RULE 18. MAINTENANCE OF SERVICE PIPES AND METER BOXES

- A. The service connection and its fixtures from the water main to and including the curb box or service valve shall be maintained in good repair at the expense of the Utility including replacement of necessary parts because of damage, corrosion, tuberculation, or other deterioration. However, if the customer makes replacement necessary due to increased demand, such replacement shall be at the customer's expense.
- B. The service and its fixtures from the curb stop or service valve into the property served (the meter excepted) shall be maintained at the expense of the customer or owner of the property, and any leaks or other defects in the same shall be promptly repaired by him. A service line or private main extended to a property not adjacent to a Utility main, whether extended through public or private property, shall be maintained by the customer or owner, unless such line or main has been accepted in writing for maintenance by the Utility. If needed repairs are not made to such service line or private main within five (5) days after written notification by the Utility, the customer or property owner may be charged a set fee, approved by the IURC, per day for each day following the said five (5) day period of grace that the water leak or other defect is allowed to continue. The Utility shall also have the power and authority to make such repairs as necessary to protect the Utility upon owner's failure or refusal to do so within the five (5) day period. The Utility shall have the authority to seek reimbursement from the owner for the work, including court costs and attorney fees incurred through collection proceedings.
- C. All meter boxes (including so called pits or vaults constructed or installed by the owner, regardless of location, and any such boxes if constructed or installed by the Utility at its option, and located on private property shall be maintained in good repair by the owner, at his expense. If an approved, frost-proof meter box located within a public right-of-way is installed by the Utility, the Utility shall maintain such box at its expense. However, the Utility shall not maintain the piping leading to and from such meter box, except the piping between the water main and the curb stop, as referred to in paragraph A above. No meter boxes shall be approved for location within a public right-of-way.
- D. All persons are forbidden to cover up, or in any way interfere with any curb box, valve or hydrant. In the case of any automobile or vehicular accident involving the breaking or discontinuation of any of the above mentioned items, the responsible party shall pay for the repair of same.

RULE 19. FROZEN MAINS AND SERVICES

- A. When a distribution main is found to be frozen, the Utility shall thaw, at its own expense, the service pipes connected with the part of the main, (between the tap and the curb box), that is frozen.
- B. At the request of any customer, the Utility may agree to make an investigation (excluding any excavation) and inform the customer of any conditions found upon the premises, which might occasion the freezing of a water service and advise him of the steps necessary to remedy such condition. A charge may be levied for such investigation.

RULE 20. INSIDE PIPING AND SERVICE LINES

- A. In addition to the curb box valve near the property line furnished by the Utility, each applicant for service shall, at his own expense, equip his main supply line with a suitable shut-off valve or valves just inside the foundation wall and shall provide all piping and attachments, all of which shall be assembled, installed and maintained by him, subject to the approval of any authorized inspectors and in accordance with the Rules and Regulations of the Utility then enforced.

- B. Each service line shall have a ball type shut-off valve on both the inlet and outlet side of the meter to eliminate siphoning when meter is changed or serviced. Valves on service lines over two inch (2") may be gate type valves.
- C. Service lines of larger sizes and /or services that supply special equipment may require special valving and fitting arrangement. See Rule 34 of these Rules and Regulations.
- D. Customers are responsible to maintain their service lines and fixtures in good repair at their own expense. The service line must be a minimum of 48" under the surface of the ground.
- E. The Utility does not assume the responsibility of inspecting the customer's piping or apparatus, and will not be responsible therefore. If the customer desires a Utility plumbing inspection, the customer shall be charged for that service as scheduled in the service and labor rates approved by the IURC.

RULE 21. CROSS-CONNECTION AND BACKFLOW

- A. No private water system using water from a surface source (cistern, dug well, lake, pond or stream, as well as a drilled well or other non-surface water source) may be physically connected in any way to plumbing carrying water from the Utilities water mains or service lines.
- B. The Utility reserves the right to refuse service unless the customer's lines or piping are installed in such manner as to prevent cross-connections or back-flow.
- C. The Utility will not permit service lines or any other lines or pipes carrying, or which are in a position to carry its water supply, to be connected either on or off any premises with any lines or pipes which the Utility knows or has reason to believe is connected with any other source of water supply; nor may such service lines be connected in any way to any pipe, tank, vat or other apparatus which contains liquids, chemicals or other matter which may flow back into the service lines or mains and/or which may endanger the water supply.
- D. No cross-connections or conditions that may potentially permit the backflow of contaminants and/or pollutants from a customer's piping system into the public water distribution system shall be permitted. Piping systems within the customer's premises shall conform in all respects to the latest revision of the IAC, IDEM Cross Connection Control and Backflow Prevention Manual, and the CROSS-CONNECTION REGULATION of the Utility which are incorporated herein by reference.
- F. Backflow prevention devices installed on the customer's service line shall be located downstream of the Utility's meter and/or the meter by-pass line. The device shall be installed horizontally and at a height of between 12" and 60" above the finished floor elevation, with the exception of a double check valve installed in a pit or other below-grade installation.
- G. Backflow prevention devices are to be tested upon installation and periodically thereafter per 327 IAC, IDEM 8-10 and the CROSSCONNECTION REGULATION of the Utility.
- H. Copies of all test reports on backflow devices are to be submitted to the Utility.

RULE 22. BOOSTER PUMPS

- A. No booster pump shall be installed, taking its suction or supply from the Utility's distribution system, without written approval of the Utility.
- B. In all booster pump installations, the suction of the pump shall be connected to an atmospheric tank with Utility water flow entering the tank being controlled by an automatic float valve and freely discharging into the tank two (2) pipe diameters or a minimum of six inches (6") above the positive overflow level of the tank.
- C. As an alternate, a suitable control valve that shall limit the suction pressure of the pump to a minimum of twenty (20) psig may be installed, if approved in writing by the Utility. Such

control valves shall be maintained at all times, at the expense of the customer, to ensure proper and continuous operation.

RULE 23. ACCESS TO PREMISES

- A. Properly authorized representatives of the Utility shall have the right to enter upon the premises of the customer at all reasonable times for the purpose of inspecting and/or testing cross-connection protective devices, atmospheric tank installations, booster pump vacuum breaker valves and general plumbing. This rule also applies for the purpose of reading, inspecting, repairing, testing, removing, relocating or replacing the meter or meters used in connection with the service and the removal of equipment on the termination of the contract or discontinuance of the service. Failure to allow access to the customer's premises for the above purposes after receipt of a written request shall be cause for discontinuance of the service.
- B. The Utility may provide a meter reading schedule that delineates tentative days of the month set aside for reading of said customer's district. The schedule of the reading dates is available by contacting the Utility.
- C. Utility personnel shall not be required to go upon premises deemed unsafe due to existing conditions or circumstances at the property. If the Utility representative deems the repair work or testing would be unsafe due to existing conditions on the customer's premises, the customer shall be notified in writing and shall have thirty (30) days to complete the necessary repairs to allow for safe working conditions for Utility personnel. Failure to complete the necessary repairs shall result in discontinuance of service.
- D. For customers with meters one inch (1") or larger, in addition to discontinuance of service for the customer's failure to provide the Utility access for regular meter reading and after a period of two (2) months without a read, the Utility may at its option, require the customer to install a remote reading device to insure future reads. The failure of the customer to provide the Utility access for such installation shall be grounds for discontinuance of service. Arrangements with the Utility for installation of said device shall be made within ten (10) days after notification of such required installation. The cost of the remote installation shall be borne by customer.

ARTICLE V – METERING

RULE 24. METERING

- A. Unless otherwise specified in the contract between the Utility and the customer, or by the tariff on file, all water supplied shall be measured by a meter or meters of standard manufacture, furnished and installed by the Utility according to the requirement of the Utility in force and effect at that time. The customer shall provide, free of expense to the Utility, a suitable place near the service entrance either in the basement, in an approved meter box, or in another location approved by the Utility for installation of the meter.
- B. In most cases, the Utility shall designate the size and type meter to be used for serving each customer. Each building to be served directly from the main must be supplied by at least a one-inch (1") service line (a 5/8" X 3/4" or larger meter may be used). When the service is larger than this, the Utility reserves the right to designate the number of meters that can be supplied by such service. Should the customer request that a meter larger than that recommended by the Utility be installed, the customer shall pay any additional costs incurred.
- C. A by-pass around all new meter installations shall be required under any of the following circumstances, where:
 - 1. The service line on the outlet side of the meter is one and one-half inches (1 1/2") or larger with the exception of irrigation services.

2. The service line, regardless of size, serves refrigeration equipment or the water supplied is used for the purpose of cooling equipment.
 3. The water service must not, for any other reason, be interrupted while the meter is being repaired or replaced.
 4. The by-pass shall be furnished and installed by the customer according to the Utility's specifications and must remain closed and sealed at all times. Where existing piping not containing a by-pass is altered to meet any of the above conditions, the alteration shall also include the installation of a by-pass. The Utility reserves the right to order that the customer remove the by-pass for reasons including misuse.
- D. All meters or other appliances and equipment which are furnished by and at the expense of the Utility, and which may at any time be on the customer's premises, are and shall remain the property of the Utility unless otherwise expressly provided herein. The customer shall protect such property from freezing and from loss or damage and no one who is not a representative of the Utility shall be permitted to remove such property or tamper therewith. The customer shall be liable and responsible for all damages to such property.
- E. Meters may require repair from time to time, in which case the following procedures may be employed:
1. Ordinary repairs to meters shall be made by the Utility without expense to the customer. The customer or representative of such shall sign a work order indicating that the service has been provided and that current reads have been verified. Failure or refusal to sign the work order shall not negate any charges incurred.
 2. Meter repairs and/or replacement necessitated through customer neglect or negligence shall be charged to the responsible customer/property owner. Where a frozen meter must be replaced and such is not discovered until after the utility account has been finalized, the new party desiring service may be held responsible for the cost of the repair or replacement.
- F. A meter shall be tested for accuracy by the Utility if the customer requests it. The Utility shall advise the customer to first investigate the premises for other reasons for the excessive water usage before requesting the removal of the meter for a shop test. If leaks are found or if the meter test establishes the accuracy of the meter to be between 98% and 102%, the Utility may charge the customer for making the investigation and/or the test in accordance with IURC approved fees. Upon request, the customer may have a representative present when the investigation is made and /or the meter is tested.
- Such testing shall not be made more frequently than once in twelve (12) months, unless the customer has abnormally high billings or other unusual, unexplainable circumstances. A report of the results of the meter shop test shall be kept by the Utility.
- G. The Utility shall place seals on all water meters and by-passes, in and for any premises, and replace such seals found broken or removed. Meter couplings locks may be installed at the option of the Utility. The water supply may be turned off if such seals are found to be broken or removed. If such seals are found broken or removed, or the meter itself is found to have been tampered with or removed, the Utility shall charge the customer three (3) times the average consumption for customers of that class, for the period for which it is determined water usage was not metered, or six (6) months, whichever is less. Further, in such circumstances the customer may be prosecuted for theft of Utility property and services in accordance with the Utility Rules and Regulations.
- H. Where water is taken through one meter servicing a multi-unit dwelling, the Utility shall require the owner of the real property to maintain the billing in the owner's name.
- I. The Utility will attempt to obtain at least one (1) inside read biannually. Failure of the customer to cooperate in obtaining this read shall absolve the Utility of this obligation and financial responsibility for any meter problem that could have been discovered. A reading

obtained from an Automatic Meter Reading (AMR) unit is considered to be the same as an inside read for purposes of this item.

RULE 25. NEW CONSTRUCTION

- A. All new dwelling units constructed within the service area of the Utility shall be prewired by the building contractor with eighteen (18) gauge three (3) wire copper conductor transmission wire, as a part of the construction costs of the new dwelling unit. At such times as the customer, his building contractor or appropriate subcontractor orders the water service connections for the new dwelling unit, a reasonable fee shall be charged by the Permit Office, in addition to the costs of the water service connection, to compensate the Utility for its expenditures for labor, materials, and/or equipment to install at the appropriate location in the new dwelling unit a water meter with a remote meter reading unit. In the event the Utility is requested but unable to install a remote meter due to the customer, building contractor, or appropriate sub-contractor's failure to prewire in accordance with the latest revision of the Utility's Rules and Regulations, a service charge shall be assessed for each subsequent trip until such time as prewiring conditions are corrected per Utility Policy and Procedures. In cases where no one installs the above mentioned wire, the Utility may at its discretion, install said remote wire and charge the builder and/or customer for the cost and expense of installing same.
- B. Such installations shall be in accordance with the latest revision of the Utility's Rules and Regulations, for installation of remote meter reading units in all new residences supplied by the Utility.
- C. Upon the initiation of the installation of radio transmitters, the above paragraph "A" may no longer be applicable.

RULE 26. REMOTE METER READING DEVICES

All requests for new residential water services shall include the installation of a remote reading device. Prewiring for this device shall be the responsibility of the property owner or their contractor.

The failure of any customer to provide the Utility access for such installation within ten (10) days after notice shall be grounds for discontinuance of service.

No remotes shall be located inside fences of existing or new premises. Relocation shall be required if a fence is constructed after remote is installed.

Upon initiation of the installation of the radio transmitters, Rule 26 may no longer be applicable.

ARTICLE VI – BILLING

RULE 27. ESTABLISHMENT OF RATES

The management of the Utility establishes the rates and charges for the use and services rendered by the Utility, subject to the approval of the IURC. No modification of rates or any of the Rules and Regulations shall be made by any agent of the Utility.

These rates generally are based upon consumption expressed in "units" and measured in U.S. gallons, for the period covered by the meter readings. Except where a customer orders turn-on, the minimum bill to such customer for said period shall be at least equal to the minimum charged for one full month's service. The charge for the service commences when a meter is installed and a connection made, whether or not in use.

Each customer (user) shall pay a monthly service charge in addition to usage charges calculated under the metered rate schedule most recently approved by the IURC. Multiple family users shall pay the normal residence fee for each family unit served.

A copy of the schedule of all fees/rates and charges discussed herein is available on our Web-site at _____ or at the office of the Utility.

RULE 28. BASIS FOR MONTHLY BILLING

- A. All charges for water usage, other than for un-metered fire service or other special purposes, shall be calculated upon the registration of the meter(s) installed, which registration shall be prima facie evidence of the amount of water used.
- B. The Utility shall collect meter readings from the meter, radio transmitter or remote reading device each month, however the Utility reserves the right to vary the dates or length of period covered. Should the radio transmitter, the remote reading device or the meter fail to send a read or indicate that tampering has occurred, the customer shall be billed on an estimated basis until the problem has been resolved.

For the purposes of estimating a read, the Utility will use the customer's average previous consumption to determine the estimated usage for the period. If the customer has no consumption history, 5,000 gallons will be charged each month until an actual reading is obtained. Following the first new estimated reading thereafter; the account may be adjusted to charge for the actual consumption.

- C. The Utility may require that a remote reading or electronic device be installed where access to the meter is not available and billings continue to be based upon estimated readings, or for such reason as determined by the Utility.
- D. Where water is taken through more than one (1) meter, and where such arrangement is for the convenience of the customer, each meter shall be read and billed separately. Where water is taken from single premises through more than one (1) meter for the convenience of the Utility, the meter readings may be aggregated and billed as one reading. In the event service commences at a time other than the beginning of a billing period or is discontinued at such time, the customer will be charged on actual usage subject to the appropriate minimum charge.
- E. All water passing through meters shall be charged for whether used, wasted or lost through leakage or negligence of the resident or property owner.
- F. The Utility shall not be bound by bills rendered under a mistake of fact as to the quantity of water serviced rendered.

RULE 29. ESTIMATED BILLINGS

It is the practice and policy of the Utility to attempt to collect reads and render billings on a monthly basis. Billings based on estimated consumption shall be due and payable to the same effect as bills rendered on actual reads. Late charges assessed on estimated as well as actual reads shall not be refundable or pro-rated in any manner.

Non-payment disconnects and terminations shall be based on failure to pay bills for services, whether based on actual or estimated reads, without distinction.

RULE 30. STATEMENT CONTENTS AND REQUIREMENTS

- A. Bills rendered to customers for water service shall show at least the following information:
 - 1. The type of service.
 - 2. Present and previous meter readings.
 - 3. The gallons used.
 - 4. The services dates at the beginning and end of the period for which the bill is rendered and the billing date.

5. The amount of the bill.
6. The previous balance, if any.
7. The late charges after the due date.
8. The date on which the bill is due.
9. The past due amount.
10. The date on which the bill becomes delinquent.
11. The amount due after a late charge has been assessed.

RULE 31. PAYMENT

- A. Bills shall be rendered monthly and must be paid at the office of the Utility during regular business hours or at such other office that may be designated on said bill. No agent or employee of the Utility may accept payment of a bill outside of the Utility's office unless said employee is a collection representative acting in such capacity. If a bill is not paid on or before the due date indicated on the bill (no less than 17 days after the bill is mailed to the customer) the customer shall be considered delinquent. Should this remain delinquent for an additional period of twenty-eight (28) days, service shall be terminated by the Utility.
- B. **RETURNED CHECKS**
Checks returned for Non-Sufficient Funds shall be subject to the fee that the banking institution charges to the Utility plus an administrative charge as approved by the IURC for the account(s) affected.
- C. Failure to receive a bill shall not affect the right of the Utility to turn off and discontinue service for non-payment as above provided.
- D. An agreement to pay may be executed between the Utility and an approved representative of the customer at the sole discretion of the Utility in order to avoid disconnection of service or in other special circumstances.
- E. After receiving notification of a pending disconnection, but before the order for termination is issued, the customer may personally come into the office and sign an agreement delineating the terms under which payment shall be made.
- F. At the time of the execution of a Long-Term Payment Agreement with a term of two (2) months or more, the customer must agree to pay all future service bills as they become due. Failure to fulfill the terms of the Long-term Payment Agreement shall make the same null and void; and the total unpaid past due amount, together with any associated service charges related thereto, shall become due. Failure to comply with the conditions of the Long-Term Payment Agreement may result in discontinuance of service without further notice.
- G. To qualify to enter into a Long-Term Payment Agreement, the customer must not have entered into and breached a similar agreement with the Utility during the last twelve (12) month period.
- H. Disputing the accuracy of a bill shall not be a valid reason for non-payment or partial payment of a bill by the customer, and shall not stay the accrual of finance charges on the delinquency. The customer may pay a bill under protest thus giving written notice that redress is being sought.
- I. All water charges follow the customer rather than the property. If a customer moves from a premise where water service has been supplied, such customer shall be held responsible for the payment of all bills rendered for the service supplied to said premises until legal documentation of property ownership change, or proof of the new customer's identity and date of transfer is provided to the Utility. If the Utility shall determine that a service address has experienced customer(s) with any uncollected billings over a two (2) year period, the Utility will only approve a contract for water service that has been executed by the property owner(s).

- J. Moving from one location to another in no way absolves the customer from any unpaid charges incurred at a previous location. A customer's service may be discontinued for failure to pay any unpaid charges due, regardless of the premises with respect to which the charges were incurred.
- K. Transfer of the property by contract or assignment does not absolve the customer from any charges until the customer has given proof of such transfer. This proof must be acceptable to the Utility.
- L. The payment of a bill with coins of any value will only be acceptable by the Utility as long as the total amount of coins does not exceed five dollars (\$5.00). Payment with one-cent (.01) coins shall not exceed a total of 25 cents (\$.25) in any one payment.
- M. Any sum that the Utility is ordered to refund for utility service, which has remained unclaimed for seven (7) years after the Utility has made diligent efforts to locate the person who made such deposit or the heirs of such persons, shall be presumed abandoned and treated in accordance with the laws of this state of Indiana (Uniform Disposition of Unclaimed Property Act, Indiana Code 32-9-1.5).

RULE 32. ERRORS AND ADJUSTMENTS

- A. Adjustment Due to Meter Error. If a meter is found to have a percentage error greater than that allowed by the IURC, the following procedure for the adjustment of bills shall be observed:
 - 1. Faster Meters. When a meter is found to run fast in excess of two (2) percent, the Utility shall refund or credit the customer's account with the amount in excess of that determined to be an average charge for one-half of the time elapsed since the previous test, or six (6) months, whichever period is shorter. This average charge shall be calculated on the basis of gallons registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be fast. No part of a service charge shall be refunded.
 - 2. Stopped or Slow Meters. When a meter is stopped or is found to run slow in excess of two (2) percent, the Utility may charge the customer an amount estimated to be an average charge for one-half of the time elapsed since the previous test, or six (6) months, whichever period is shorter. This average charge shall be calculated on the basis of gallons registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be slow or stopped.
- B. Adjustment Due to Stuck or Slow Remote Reading device. Whenever it is determined that a discrepancy exists between the amount of usage registered by a customer's meter and the corresponding remote reading device, the reading taken from the meter shall be the one used for any billing purposes. If the customer owes the Utility for usage not previously billed, the Utility may offer arrangements for a payment plan to pay the balance due after necessary adjustments have been made. These adjustments shall be made back to the date of the most recent inside/meter read to the date the meter/remote reader pair was set. However, in no case shall the customer be billed for more than two (2) years usage, whether actual or calculated.
- C. All billing errors, including incorrect tariff applications, shall be adjusted to the known date of the error, not to exceed two (2) years.
- D. In the event any property is found to be connected to the Utility mains without a permit or payment of all charges and fees required, service shall be disconnected unless and until a contract shall be entered into, a deposit, if required under Rule 6, shall have been paid, and appropriate curb stop, box and meter shall have been installed. The user of the service shall be back-billed for the period of use, and may be charged with theft of service or defrauding the Utility.

- E. Any person aggrieved by any determination or billing hereunder may request, and shall be granted, an Administrative Appeal in accordance with Rule 38 of these Rules and Regulations. No request for an administrative appeal shall, permit the customer to receive, or require the Utility to supply water, without payment of all sums billed and deposits required. In the event that the customer shall prevail upon administrative appeal, all monies paid under this Rule shall be refunded except deposit and all monies determined to be owed.

RULE 33. COLLECTIONS, LATE CHARGES AND DELINQUENCY

- A. The Utility may bring a civil suit to recover any delinquent charges together with interest at the statutory rate, the cost and disbursement of said action, attorney fees and any other remedy prescribed by law.
- B. All bills for water services not paid by the due date indicated on the bill shall be charged a one-time collection or deferred payment charge of ten (10) percent on the current delinquent charges.

RULE 34. SPECIAL PURPOSE WATER

- A. The Utility may approve the use of Special Purpose water, using the following procedures:
 - 1. All Special Purpose Water needed for any construction or other projects, whether private or commercial, shall require a meter to measure the amount of water drawn. The Utility may opt at its discretion to allow a previously measured tank or a tank with the gallons marked on it to be used for measurement in lieu of a meter device. A written contract for service shall be executed in the Utility's office and usage must be tallied and reported to the Utility at the end of each day. Failure to follow these procedures will result in the Utility making its own estimate of the water drawn. All water usage will be charged according to the consumption rates as set forth in the Utility's schedule of rates and charges as applied to the quantity estimated and established by the Utility.
 - 2. A set-up charge for installing, removing, testing, repairing the meter and invoicing of the water shall be made for those accounts established for less than a three (3) month period and /or those set on fire hydrants. These set up charges shall correlate with the charges set forth on all metered or un-metered applications as set forth on the Utilities schedule of fees, rates and charges.
 - 3. All water used shall be invoiced at the appropriate Utility rate schedule.
 - 4. The customer shall assume the liability for damage to or theft of all Utility property and shall notify the Utility office when service is no longer needed and request removal of meter so that the Utility may bill the customer for services provided.
 - 5. In no case shall the Utility allow the customer to cross streets with hoses or piping. Piping of water from one premise to another shall require written permission from the Utility plus a release of liability from both parties.
 - 6. Request for construction water may require the installation of a water meter or other arrangements made through the Utility office. Such action shall be in accordance with Rule 3 of the Utility Rules and Regulations and shall be billed accordingly.
 - 7. All meters installed shall be billed to the initiating customer until the Utility receives notice to discontinue such service.
 - 8. Use of a Utility fire hydrant or curb stop by any unauthorized person for the purpose of obtaining water without written permission from the Utility shall subject the user to penalty as written in Rule 8-F of these Rules and Regulations. The use of hydrant water for fire suppression purposes is exempt from the above rule.

- B. Bulk water may also be provided at a prescribed location approved by the Utility. A representative of the Utility shall monitor the bulk water loads, and provide written documentation to the Utility office for the billing of water used, in accordance with its standard rate schedule. An IURC approved air gap or cross-connection device must be used when filling any bulk water tank.

RULE 35. IRRIGATION METERS

Upon request from the customer, the Utility shall activate irrigation meter accounts and shall terminate them upon request. Customer, or representative of legal age, may be required to be present to activate service, for which a fee may be charged.

Water shall not be used for irrigation, fire protection or other purposes, except when water is available in sufficient quantity without interfering with the regular domestic consumption, as written in Rule 37 of the Utility Rules and Regulations.

Each user shall pay a monthly service charge based on the Utility rate schedule, in addition to usage charges calculated under the metered rate schedule. The service is available whether used or not. If a customer should not wish to be billed for the service availability, or if the irrigation meter is not in use, it is the responsibility of the customer to contact the Utility to have the billing suspended and/or the meter blocked. If a customer fails to notify the Utility to discontinue said service, they shall continue to be billed for the monthly service charge as well as water usage fees due and payable as prescribed in the Utility Rate Schedule.

The Utility shall obtain actual meter reads at turn-on and turn-off. Only the Utility personnel must do all turn-on and turn-offs.

RULE 36. PRIVATE FIRE PROTECTION SERVICE

Water shall not be used for irrigation, fire protection, or other purposes, except when water is available in sufficient quantity without interfering with the regular domestic consumption as written in Rule 37 of the Utility Rules and Regulations.

- A. The entire private fire protection on a customer's premises shall be subject to inspection and tests by individuals or firms approved by the Utility, at such times as deemed necessary by the Utility.
- B. Before any modifications are made to any private fire protection system or before service is furnished to any new private fire protection system connected to or proposed to be connected to and supplied with water from the Utility's water mains, the owner of the private fire protection system, or his contractor or engineer, shall file final plans of such fire protection system with the Utility and receive approval. The following items shall be included in the final plans.
 - 1. The number of sprinkler heads to be served.
 - 2. The sizes and location of the system's piping.
 - 3. The sizes and locations of all connections to the Utility's water mains.
 - 4. The sizes and locations and types of all valves.
 - 5. The sizes and locations of all hose connections, reels and/or cabinets.
 - 6. The sizes and locations of storage tanks connected to the fire system.
 - 7. The outlet sizes and locations of all fire hydrants.
- B.(1) NEW SERVICE. The owner of the private fire protection system, or his contractor or engineer, shall provide certification to the Utility that the system has been disinfected and tested in accordance with ANSI/AWWA C651-99, or latest revision. Results of bacteriological testing carried out per this code, shall be reported in writing to the Utility by a laboratory qualified and acceptable to the Utility.

- B.(2) EXISTING SERVICE. Modifications to or extensions of existing private fire protection systems may be supplied with water from the existing system without disinfection or testing provided that the change does not require a new tap or a modification of an existing tap. If a new tap or modification of an existing tap is required, disinfection and testing shall be done in accordance with ANSI/AWWA C651-99, or latest revisions as required for the private fire service modifications or extensions, as well as the Rules and Regulations of the Utility.
- C. All fire protection lines within buildings must be installed in such a manner that all pipes shall be easily accessible for inspection at any time. Underground pipes outside of buildings must be placed and maintained at a minimum depth of four (4) feet.
- D. No connection with a fire protection system shall be permitted to supply water for general purposes. Both the fire protection system as well as the general purpose water must have separate taps and valves to supply each. Each service shall be subject to monthly charges according to the Utility Rules and Regulations.
- E. A private fire protection system without a tank shall be equipped with an alarm valve and a double check valve on the in-flow line and a single check valve and a double check valve assembly backflow preventative device, the double check valve assembly to be located on the main service pipe(s) supplying fire protection to the property. All check valves shall be of the "no Slam" type, to reduce the potential of water hammer, resulting in damage to the Utility's water distribution system. A system containing antifreeze shall have a reduced pressure principle backflow preventor.
- F. An un-metered private fire service is furnished for the sole purpose of supplying water for the extinguishment of accidental fires and the use of water from such a service connection for any other purpose is absolutely forbidden. Any violation of this provision shall be considered theft of the Utility property and services and shall subject the offender to the penalty provided in the Utility Rules and Regulations and to a bill for the estimated quantity of water so used.
- G. Hydrants and other fixtures connected to a private fire service may be sealed by the Utility and such seal shall be broken only in case of fire or as specifically permitted by the Utility. The customer must immediately notify the Utility when any such seal is broken.
- H. When a service tap on a Utility main provides water for both fire and general purposes to a customer(s), separate charges shall be made for each purpose, to each customer by the Utility in accordance with the established Utility Rules and Rates.
- I. A private fire service installed prior to the induction of this set of Rules and Regulations, at the option of the customer and after approval by his fire underwriter, may be connected to his metered water service. The monthly charge for such combined fire and general-purpose uses shall be set out in the established scheduled rates. The customer must pay any additional investment cost incurred by the Utility. In such metering, maintenance of such meter shall be at the Utility's expense.
- J. Whenever a private fire system is to be tested under the regulations of the fire service underwriters, the customer shall notify the Utility of such proposed test, naming the day and the hour when it is to be made so the Utility may have a representative present is so desired.

37. WATER RATIONING EMERGENCY

The Utility may declare a WATER RATIONING EMERGENCY for all users in case of a State or local drought notification, or if it is deemed necessary by the Utility to conserve water because of water plant issues, or any other unexpected events or limitations, so as to be able to supply the needed water for its customers.

EXCESS USE CHARGE SCHEDULE

- 1. The Utility customer may be limited to not more than 70% of the average of the water consumption by that user during the months of March and April of the current year.

2. No Utility customer shall be required to use less than 3000 gallons per month.
3. The amount of water consumed by each user, which exceeds the established quota, shall be billed by the Utility ten (10) times the amount of consumption at the original rate step of the Utility's current rate schedule.
4. The declaration of a water rationing emergency shall constitute an emergency as described in Rule 9 of these Rules and Regulations, which gives the Utility authorization to disconnect service for any unauthorized use, as determined by the Utility.
5. Concurrent with a rendering of a billing for any excessive usage, the Utility shall issue a "warning." This warning shall serve as notification to the user that should subsequent billings exceed the established base, termination of service may be imposed. Service shall be restored in accordance to Rule 9 of these Rules and Regulations.
6. Should termination of service occur due to violation of the WATER RATIONING EMERGENCY order, service shall be restored after payment of a special Reconnection Fee of \$50.00, which shall be in addition to any other charge normally assessed according to the established Rule and Regulations.
7. Any person aggrieved by any determination by the Utility may request and shall be granted an administrative review and appeal as provided in Rule 38 of these Rules and Regulations.

ARTICLE VII – APPEALS

RULE 38. ADMINISTRATIVE REVIEW AND APPEALS

- A. In any event that the Utility shall determine to deny service (under Rule 3), to require a deposit (under Rule 6), to terminate or disconnect service (under Rule 9, Rule 17, or Rule 23), the Utility shall give written notice of such determination.
- B. The Utility may impose services charges, charges for water service, delinquency and late charges, and charges for labor and materials. The issuing of a bill shall be considered a notice of such charge.
- C. Any person aggrieved by any charge or determination by the Utility may request and shall be granted an Administrative Appeal:

The customer shall first discuss the determination with the billing department representative of the Utility.

If the matter is not resolved to the customer's satisfaction, the customer shall discuss the matter with the Manager of the Utility.

The Manager shall render a decision at the close of the meeting or within 60 days thereafter whenever possible. The decision of the Manager shall be final.

A party or person aggrieved by the final administrative determination shall have the right to judicial review of such determination in accordance with and pursuant to the provisions of Indiana Code 4-21.5-5 et Seq.

ARTICLE VIII – RULES

RULE 39. PRESENT RULES SUPERSEDE ANY PRIOR RULES

All Rules and Regulations heretofore written and declared by the Utility governing the services supplied by the Utility are superseded and replaced by the foregoing Rules and Regulations and/or other Regulations referred to herein and thereby made a part hereof.

RULE 40. ENFORCEMENT OF RULES

- A. The remedies provided to the Utility in these Rules and Regulations shall not be exclusive and shall be in addition to any other remedies, which the Utility has at law or in equity.
- B. The power to enforce the provisions of these Rules and Regulations is vested in the Management of the Utilities or his designee.

RULE 41. AMENDMENTS AND REVISIONS

The Management of the Utility may, by appropriate action, amend, modify, delete, change or otherwise revise these Rules and Regulations as it may deem to be desirable and /or necessary.

APPROVED by the management and officers of the Utility in its regular meeting on _____.

PIONEER WATER, LLC.

Gordon Liechty, Member Manager

Naomi L Liechty, Member

ATTEST: _____
Tresha Dowdy, Office Secretary