

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

Adopted: December 19, 2016
Effective Date: All billing after January 1, 2017
Service Area: All

BILLING DEFINITIONS:

Water Account: A *Water Account* is considered an individual water meter providing service to a single consumer, within a building or buildings bounded by public sidewalks, streets, alleys, waterway, railroad, or other right of way. All general service water accounts must have water meters installed.

Basic Service Charge: A *Basic Service Charge* is a fixed charge per month associated with basic costs such as maintenance of meters, automated meter readings, billing, etc., plus public fire hydrant installation, operation and maintenance costs. This charge will be billed whether or not there is any water consumption and does not include any usage.

Billing Unit: A *Billing Unit* is defined as "100 cubic feet of water" as measured by the meter and is equivalent to approximately 748 US gallons of water.

Consumption Charge: The *Consumption Charge* is the charge per billing unit of water consumed each month based on the actual or estimated meter readings.

Meter Reading: A *Meter Reading* is typically obtained by reading the actual water meter on a monthly basis. The Board of Public Utilities may estimate that monthly reading in the event it is unable to obtain the actual reading. The estimated reading shall be so designated on the bill and is based on previous meter readings for the account. It is the responsibility of the property/building owner to provide the Board of Public Utilities proper access to the meter to enable its reading, inspection, and maintenance

Combined Monthly Bill: A customer in a single dwelling unit that is provided water service plus other City of Jamestown utility services such as electric and/or sewer service will be provided a *Combined Monthly Bill* that clearly states the billing for each individual service provided and total billing for the combined utility services. A single dwelling unit does not have the option of splitting this Combined Monthly Bill, only one bill will be provided per single unit dwelling.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

GENERAL SERVICE - METERED ACCOUNTS:

All water supplied by the Jamestown Board of Public Utilities shall be measured by meters installed, unless categorized as unmetered public service. All metered accounts will incur monthly basic service and consumption charges based on district. Districts are as follows:

- District 1 – City of Jamestown, New York
- District 2 – Village of Falconer, New York
- District 3 – Village of Celoron, New York
- District 4 – Town of Ellicott, New York (includes District 21)
- District 5 – Town of Ellicott, New York (includes Districts 7, 8, 9, 16, 18)
- District 6 – Town of Kiantone, New York
- District 10 – Town of Busti (Jamestown-Busti), New York
- District 11 – Village of Lakewood, New York
- District 12 – Town of Ellicott (Airport), New York
- District 13 – Town of Ellicott (Comfort Inn), New York
- District 14 – Town of Ellicott (Mason Industrial Park), New York
- District 15 – Town of Ellicott (Red Roof Inn), New York
- District 17 – Town of Ellicott (Orchard Road), New York
- District 19 – Town of Busti (Busti-Lakewood), New York
- District 20 – Town of N. Harmony, New York
- District 22 – Town of N. Harmony (BOCES), New York
- District 23 – Town of Busti (Orr St Ext to 5 Corners in Busti), New York

PRIVATE FIRE PROTECTION SERVICE - HYDRANTS:

A private yard fire hydrant will be billed at a monthly rate **based on district**. The customer shall complete and submit an “*Application For Water Service*”. The customer will pay the actual cost of materials and labor per hydrant and will be responsible for any maintenance charges to the hydrant.

METERED PRIVATE FIRE PROTECTION SERVICE:

No charge shall be made for the use of water for the purpose of extinguishing fires.

For all other purposes, the applicable metered water service rates shall apply to each billing unit. If a consistent consumption through the fire service is detected the fire service account will be treated as a general service account and billed accordingly. A basic service charge equal to the Basic Service Charge under General Service Metered Accounts will apply to all fire service accounts. For purposes of determining the basic service charge under this section, meter size and detector check valve size are synonymous. The customer shall complete and submit an “*Application For Water Service*”.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

METER TESTING:

The BPU reserves the right to remove and test any water meter at any time and to substitute another meter in its place. Where meter accuracy is questioned in the case of a disputed account, such meter will be tested by the BPU at the request and expense of the consumer.

The fee for testing such meters is as follows and is payable in advance of the test:

\$25.00 for meters ¾" and smaller
\$50.00 for larger meters up to 2"

In the event that the meter so tested is found to have an error in registration in excess of three percent (3%) at any rate of flow within normal test flow to the prejudice of the consumer, the fee paid for testing will be refunded and, in addition, the bills will be reviewed and adjusted for over-registration for up to a prior 24-month period. Water meters larger than 2" must be tested in accordance with the requirements of the "*Jamestown BPU Large Water Meter Policy*."

ACCESS TO METERS:

The customer shall provide the BPU with access to its water meter upon reasonable notice. Customers who fail to provide the BPU with access to the water meter within three months after reasonable notice is given to the customer will be charged a \$25 per month service charge until access is provided, and may be subject to service disconnection.

The BPU will manually read an antiquated water meter (a meter that is manually read due to the absence of an Itron Encoder Receiver Transmitter or ERT) that is larger than 2" for a monthly fee of \$25. If entry into a meter pit is required, the minimum monthly fee to read the meter will be \$50. These monthly reading fees will be in addition to all water basic service, consumption, and other charges.

RESPONSIBILITY FOR WATER SERVICE (AFTER INSTALLATION):

For water services 2" and smaller, the customer is responsible for the maintenance and replacement of water lines from the curb box (i.e. outside shut off valve) to the structure being served after installation. For water services larger than 2", the customer is responsible for the maintenance and replacement of water lines from the water main to the structure being served after installation.

All plumbing before the meter (between the water meter and the water main supply) must be performed by a master plumber licensed in the City of Jamestown.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

PROTECTION OF METERS:

The Customer is responsible for providing a reasonable space for the meter, adequate plumbing to both sides of the meter, and the protection of the installed water meter. The Customer is liable for any physical damage occurring to the installed meter whether from "freezing" as a result of inadequate protection from freezing temperatures or any other cause. A replacement charge will be assessed for meters that have to be replaced because of such damage to the meter. Replacement of damaged meters will be billed to the customer at the actual cost incurred by the Board of Public Utilities in replacing the damaged meter.

PROTECTION OF WATER SERVICE:

During periods of extreme cold, frost can cause water service lines to freeze and, potentially, break. The BPU recommends that customers allow a small amount of water (i.e. a small stream, greater than dripping) to run continuously in order to prevent water line freezing. Thawing of water lines is possible using specialized equipment. It is BPU policy that no water lines will be thawed by the BPU without the property owner signing an "*Water Service Pipe Thawing - Acknowledgment and Release*" form.

TERMS OF PAYMENT:

Regular bills for water service will be rendered monthly. Bills rendered are due upon receipt, and are considered delinquent 23 days from the billing date. Bills may be paid at the BPU or other place or places designated by the BPU. If bills are not paid within the period specified thereon, the customer shall be required to pay a late payment charge at the rate of one and one-half percent (1 ½ %) per month, which will be applied to all amounts previously billed, including arrears and unpaid late payment charges. Water service and other BPU utility services at the service location and/or at any other service location in the customer's name is subject to disconnection 15 days after payment becomes delinquent. If water service is disconnected for non-payment, it will not be restored except upon payment of the water bill, plus late payment charge, and a service reconnection charge of \$30.00 within regular working hours or \$160.00 outside of regular working hours. The BPU has up to five days to restore service.

Failure to receive a bill will not release a consumer from payment obligations or entitle the consumer to escape the late payment charge imposed on delinquent accounts.

A collection fee of \$25.00 will be assessed on the next bill if the customer's service is subject to disconnection, and payment is received at the customer's premises.

UNPAID WATER CHARGES:

Based on individual inter-municipal water contracts, some municipalities in which the BPU provides water service may place unpaid water charges on tax bills and these charges may

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

become a utility lien. Detailed information regarding collection of unpaid water charges is listed **by district**, where applicable.

METER TAMPERING AND THEFT OF SERVICE:

Tampering with BPU meters and related water supply equipment, for the purpose of obtaining water without the permission of the BPU, is illegal, and has a high cost to the BPU and its other Water Division customers. The BPU has implemented policies and procedures to detect, prevent and deter tampering with BPU equipment and theft of water service. For details, see the addendum entitled “*Jamestown BPU Water Division Tampering and Theft of Services Policy.*”

MAIN EXTENSION POLICY:

The BPU may extend water mains upon proper application to serve an applicant, a customer, or customers, within its retail service area, provided that, in the sole opinion of the BPU, the extension is feasible, practical, adheres to good operating practice, where such extension will not affect the adequacy, quality, pressure or quantity of service to existing customers and will not otherwise impair the service or financial structure of the BPU. Fees may apply; contact your municipality for costs associated with main extensions.

SERVICES CONNECTION POLICY:

For new water services, the customer is responsible for the water service lateral from the main tap to the structure. The customer shall complete an “*Application for Water Service*” and pay a New Service Connection Charge, as outlined on **each district’s rate sheets**, to defray the BPU’s labor and material costs for water main tap, curb box, valve, and testing. The customer shall make provisions to properly excavate from the structure to the water main in the street, furnish and install copper water service, backfill, and restore sidewalks and street paving in compliance with local government requirements.

All plumbing before the meter (between the water meter and the water main supply) must be performed by a master plumber licensed in the City of Jamestown.

The BPU reserves the right to specify meter size depending on anticipated usage. Service connections larger than 2” are available through the BPU Water Department. Customers who require a large water meter (meter larger than 2”) are responsible to pay for the meter and for the installation and maintenance of the meter. A large water meter must meet BPU specifications, or be provided by the BPU. Large water meters will be provided by the BPU at actual cost. The BPU’s large water meter policy is detailed in the addendum titled “*Jamestown BPU Large Water Meter Policy.*”

The charges specified on the schedules are BPU charges. Additional municipal charges may apply. Customers should contact their municipality for details.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

MULTIPLE METER POLICY:

Where a single water lateral has been installed to furnish water to multiple accounts within a single structure, the utility will provide the first meter as part of the service connection policy. Additional meters installed from a header arrangement, to be approved by the utility, will be provided by the BPU at owner's expense. Customer should complete an "Application for Water Service" form.

STATEMENT OF CUSTOMER RIGHTS:

Customers of the BPU Water Division are entitled to view records pertaining to their water accounts including meter readings, bills and payment history. Customers who believe that the BPU has made an error in the measurement of water supply, the billing of water supply, the application of payments, or the application of the BPU's Tampering and Theft of Services Policy, and who are unable to resolve their issues through communications with BPU Customer Service, are entitled to a hearing. Customers may call 716-661-1660 to schedule a hearing.

COMINGLING:

Residential building comingling is strictly prohibited. No residential building that is connected to the BPU water system may be simultaneously connected to a water well or any other source of water. Any customer found to be so connected will be immediately disconnected from the BPU system, and will be subject to a New Service Connection Charge upon application for reconnection.

Commercial and Industrial buildings may apply to the BPU for permission to be connected to an alternate water source by completing a "Backflow Application". Such application must contain provisions for a backflow prevention plan consisting of an engineering report to determine the degree of hazard posed by the interconnection, application for the installation of a new backflow preventer and the device testing schedule. Customers connected one or more alternate services are subject to inspection at the discretion of the BPU.

BACKFLOW PREVENTION DEVICES:

Backflow prevention devices satisfactory to the BPU must be installed on all new or replacement water services within BPU water territory. Backflow prevention devices deemed satisfactory by the BPU must be installed on existing services 1) when required by law, 2) any time that a service is approved for simultaneous connection to an alternate water supply, and 3) when required by the BPU at its sole discretion.

The type of backflow prevention device that needs to be installed is determined through an assessment of the degree of hazard of the customer's premises by an inspector approved by the BPU. The inspector is required to submit a "Backflow Application" to the BPU for approval

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

prior to the installation of the device(s). Backflow prevention devices must be installed by a plumbing contractor approved by the BPU. Prior to the installation of backflow prevention device(s), the plumbing contractor must file a Plumbing Permit to perform the installation. Backflow prevention devices must be annually tested (excluding non-testable dual check valves) and maintained to ensure against the backflow of water from a customer's system into the public water supply as required by the BPU and New York State Law.

The BPU's backflow prevention policy is detailed in the addendum titled "*Jamestown BPU Backflow Prevention Policy*." Additional backflow information can be obtained online at www.jamestownbpu.com or by contacting BPU Customer Service at 661-1660 and asking to speak with the Water Distribution Supervisor.

HYDRANT USE PERMIT:

Depending on location, the BPU may make water available for short term use via a water connection to a hydrant. Prior to connection and any water withdrawal, a permit must be obtained from the BPU. To obtain a permit, a "*Daily Hydrant Usage Permit/Approval*" must be submitted and approved. Permits will not be issued to any individual or company who is in arrears with the BPU on any invoice. Permits must be carried in the drawing vehicle and must be presented to any BPU employee upon request.

The utility will install and remove the connection to the hydrant. Temporary service will only be provided where the BPU determines that the usage will not disrupt the regular operation of the water system. Any truck connected to an unprotected hydrant must have its own backflow preventer.

A deposit of \$500 is required and will be refunded after inspection of said hydrant. A daily hydrant fee of \$36.00/day plus water used will be charged for connections up to 1 inch and \$60.00/day plus water used for connections larger than 1 inch.

Taking water from a hydrant without having a permit to do so, or failing to report water drawn from a hydrant, constitutes theft of water.

BULK WATER SALES:

The BPU makes bulk water available to private water haulers at specified points in the water systems owned and/or maintained by the BPU. Locations of these bulk water stations will be determined on an annual basis by BPU personnel.

Bulk water is available only to individuals and companies who have obtained a permit to draw bulk water. Individuals and/or companies interested in bulk water purchases must complete a "*Long Term/Bulk Water Hydrant Usage Permit Application*" to obtain a permit. Permits are issued yearly on a per-vehicle basis, free of charge. A deposit is required. Permits will not be

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

issued to any individual or company who is in arrears with the BPU on any invoice. Permits must be carried in the drawing vehicle and must be presented to any BPU employee upon request. Each bulk water station will be locked and keys will be provided when the permit is issued. All keys issued must be returned by November 1st. A \$25 fee will be charged for all lost or unreturned keys.

All water drawn must be logged on the Bulk Water Log Sheet provided by the BPU. Logs must be submitted to the BPU by November 1st of each year. Failure to submit a log sheet will result in forfeiture of the deposit. Bulk water is charged on a per unit basis (1 unit = 748 gallons).

The rate for bulk water is two times (2x) the current District 1 (City of Jamestown) per unit consumption rate. Total charges will be calculated, deducted from the original deposit, and refund checks will be issued. If the total charges are greater than the deposit, an invoice will be presented and is due upon receipt.

Taking water from a bulk water station without having a permit to do so, or failing to report water drawn from a bulk water station, constitutes theft of water.

BILLING ADJUSTMENTS:

Water billing adjustments will be limited to a 24-month period.

MUNICIPAL BULK WATER:

Municipalities served by the BPU on owned or contracted basis, may draw water from the water system for municipal purposes free of charge. Water may be drawn only from metered bulk-fill locations or designated hydrants. A list of approved hydrants is available from the BPU and is subject to change. If drawn from designated hydrants, water must be drawn at a rate that will not cause disruption to the water system. All water taken must be logged on a “*Bulk Water Log Sheet*” provided by the BPU, including the location, date, time and amount. Amounts taken from unmetered hydrants must be estimated. Water logs must be maintained in each truck and must be submitted to the BPU by November 1st of each year. Any truck connected to an unprotected hydrant must have its own backflow preventer.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

Backflow Prevention Policy

(I) Policy Overview

The *Jamestown Board of Public Utilities (BPU) Backflow Prevention Policy* shall be in accordance with New York State Sanitary Code, Part 5, Section 5-1.31 and New York State Plumbing Code. The objective of this policy is to protect the public water system from potential contamination in the case of an event that could cause water from the customer's system to backflow into the public supply. Backflow prevention devices are installed to prevent the backflow of water into the public supply if such an event were to occur. The water customer is responsible for managing the installation, annual testing, and maintenance of each backflow prevention device on his or her premises. Charges to the water customer may result from non-compliance with the requirements of the *Jamestown BPU Backflow Prevention Policy* (see Section V, Charges for Non-Compliance).

(II) Installation of Backflow Prevention Devices

Backflow prevention devices are to be installed per connection to the public water system by a plumbing contractor approved by the BPU. Backflow prevention devices shall be installed on domestic services and process lines only by Master Plumbers licensed with the City of Jamestown. Backflow prevention devices may be installed on fire services by licensed Master Plumbers or pipefitters. Prior to the installation of backflow prevention device(s), the plumbing contractor must file a Plumbing Permit to perform the installation. The installation of backflow prevention devices on new and existing water services shall be addressed as follows:

i. New Water Services (All)

Backflow prevention devices must be installed concurrently with the installation of all new water services.

ii. Existing Residential Water Services

The installation of backflow prevention device(s) are required when significant changes, as deemed by the BPU, are made to an existing water service (e.g. water line replacement, separating a single-family residence into a multi-family residence).

iii. Existing Commercial and Industrial Water Services

Commercial and industrial water customers will be notified that backflow prevention needs to be addressed at their premises. In the first notice, the BPU will establish a date by which the commercial or industrial water customer needs to respond with an appropriate timeline for installing backflow prevention device(s). Once the timeline is mutually agreed upon by the water customer and the BPU, the customer must have the backflow prevention device(s) installed in accordance with the approved timeline.

Backflow prevention devices must provide a level of protection consistent with the degree of hazard of the water customer's premises. The degree of hazard will be determined through a comprehensive evaluation of the premises by one of the following inspectors approved by the BPU: a Professional Engineer, a Registered Architect, or a licensed Master Plumber (licensed Master Plumbers can inspect existing buildings only). Following the evaluation, the inspector will determine the type of backflow prevention device that should be installed by the plumbing

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

contractor to properly protect the public water system. For a property that is deemed non-hazardous, a non-testable in-line dual check valve will be required. For a property whose hazard is classified as low or aesthetically objectionable, a testable double check valve (DCV) shall be installed. A testable reduced pressure zone (RPZ) device must be installed for a property that is deemed hazardous.

Backflow prevention devices must be approved by the University of Southern California Foundation for Cross-Connection Control and Hydraulic Research. Prior to the installation of the device(s), the inspector must obtain approval from the BPU by filing the proper “*Backflow Application*” as designated by the BPU. Following installation, the device(s) must be initially tested by a New York State certified backflow prevention device tester; the “*Report on Test and Maintenance of Backflow Prevention Device*” (test report) needs to be sent to the BPU in a timely manner for each backflow prevention device.

(III) Annual Testing of Backflow Prevention Devices

Backflow prevention devices (excluding non-testable dual check valves) need to be tested annually by a New York State certified backflow prevention device tester. Each annual test report must be completed by the tester and sent to the BPU in a timely manner.

(IV) Maintenance of Backflow Prevention Devices

If a backflow prevention device fails its annual test, the device must be repaired or replaced and then tested during the one-month period following the test. Additional time may be approved for the maintenance of the device at the BPU’s discretion. If replacement is required, the device must be replaced with an equivalent type and model of backflow prevention device. If there is reason to replace the device with a different type and/or model of backflow prevention device, approval must be obtained from the BPU prior to replacement. A copy of the test report for the new or repaired backflow prevention device must be sent to the BPU in a timely manner.

(V) Charges for Non-Compliance

As the supplier of water, the BPU is mandated to protect the public water system from potential contamination in accordance with New York State Sanitary Code, Part 5, Section 5-1.31 and New York State Plumbing Code. As detailed in the *Jamestown BPU Backflow Prevention Policy*, BPU water customers are required to install, annually test, and maintain backflow prevention devices that adequately protect the public water system from any hazard located on their premises. Water customers will be responsible for the following charges if they fail to properly install, annually test, and maintain each approved backflow prevention device that the BPU deems necessary for the protection of the public water system:

I. Installation of Backflow Prevention Devices

- i. Failure to install the required backflow prevention device within the period of time specified by the BPU will result in a non-compliance charge of \$250 per month until the device is installed or the water service is terminated. This charge is in addition to all water basic service, consumption, and other charges.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

- ii. If the backflow prevention device is installed within the first 12 months of the initiation of the \$250 monthly charge the BPU will rebate to the water customer 75% of the accumulated non-compliance charges. The rebate will be issued to the water customer only after the BPU has received the initial test report for the backflow prevention device.
- iii. No rebate to the water customer will result if the backflow prevention device is not installed by the end of the initial 12-month period. Following the initial 12-month period, the water customer will continue to be charged a \$250 per month (non-refundable) non-compliance charge until the backflow prevention device is installed. This charge is in addition to all water basic service, consumption, and other charges.
- iv. If non-compliance persists, the water service will be terminated at the BPU's discretion.

II. Annual Testing of Backflow Prevention Devices

NYS Sanitary Code mandates that every testable backflow prevention device be tested annually by a NYS certified backflow prevention device tester. If the backflow prevention device becomes overdue for its annual testing, the water customer will be charged a non-refundable non-compliance charge in the amount of \$150 per month until the backflow prevention device is tested and the BPU receives a copy of its annual test report. This charge is in addition to all water basic service, consumption, and other charges. If non-compliance persists, the water service will be terminated at the BPU's discretion.

III. Maintenance of Backflow Prevention Devices

If a backflow prevention device fails its annual test, the device must be repaired or replaced and then tested during the one-month period following the test. A copy of the test report for the new or repaired backflow prevention device must be sent to the BPU. If the BPU does not receive the test report for the new or repaired device within the one-month period, the water customer will be charged a non-refundable non-compliance charge of \$250 per month until the backflow prevention device is repaired or replaced. This charge is in addition to all water basic service, consumption, and other charges. If non-compliance persists, the water service will be terminated at the BPU's discretion.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

Large Water Meter Policy

(I) Policy Overview

A large water meter is defined as a meter that is greater than 2-inches in size. Customers who require a large water meter are responsible to pay for the meter, the installation of the meter, and the maintenance of the meter. Meters must meet BPU specifications, or be provided by the BPU. The BPU will provide the large water meter at actual cost. Installation of large water meters must be performed by a Master Plumber licensed with the City of Jamestown.

If the accuracy of a large water meter is brought into question (e.g. due to abnormal readings or the age of the meter), the customer can (1) install a new meter or (2) have the meter tested for accuracy to determine if replacement of the meter is necessary at that time (see Section II, Testing of Large Water Meters). The BPU reserves the right to estimate water usage until a new meter is installed or the existing meter is proven to be accurate. Up to 24 months of past billing can be re-evaluated and adjusted, if needed, based upon accurate readings from the new or tested meter. If the customer fails to comply with the *Jamestown BPU Large Water Meter Policy*, charges to the customer may result (see Section III, Charges for Non-Compliance).

(II) Testing of Large Water Meters

At five years of age, a large water meter must be tested for accuracy. If the meter tests accurately, the BPU will require that the meter be re-tested for accuracy at 10 years of age and then tested biannually from that point forward. The BPU reserves the right to require that a large water meter be tested for accuracy at any time if it has reason to believe that the meter may not be accurately measuring water consumption.

It is the responsibility of the customer to contract with a professional meter testing company who will perform the testing of the large water meter. The meter testing company needs to contact the BPU prior to testing and must be able to provide credentials. Following the test, the results shall be made available to the BPU for review. A large water meter will be deemed accurate if the error in registration is less than three percent at all flow rates. If the error in registration is greater than three percent, then the customer is responsible for the replacement of the meter within 60 days of the test.

At any time, replacement of a large water meter is an alternative to testing the meter for accuracy.

(III) Charges for Non-Compliance

- i. Failure to test or replace a large water meter as required by this Policy or directed by the BPU will result in a non-compliance charge of \$150 per month for a period of up to 12 months. This charge is in addition to all water basic service, consumption, and other charges.
- ii. If the meter is tested or replaced during the 12-month period, the BPU will rebate to the customer 75% of the accumulated non-compliance charges.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

- iii. No rebate to the customer will result if the meter is not tested or replaced by the end of the initial 12-month period.
- iv. Following the initial 12-month period, the customer will be charged a non-refundable non-compliance charge of \$250 per month until the meter is tested or replaced. This charge is in addition to all water basic service, consumption, and other charges.

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

Water Division Tampering and Theft of Services Policy

(I) Policy Overview

For the purpose of this policy, tampering and theft of service shall include but not be limited to the following:

- Alteration, relocation, removal, or damage to water meters, register heads, Encoder Receiver Transmitters (ERTs), valves, or any other BPU equipment
- Bypassing water meters or making service connections before meters
- Damaging or removing anti-tampering devices
- Unauthorized opening or closing of valves at the water meter or curb stop
- Unauthorized use of BPU hydrants
- Utilization of fire system water for purposes other than fire protection
- Any intentional act of destruction or vandalism to BPU property or an act that leads to the destruction or vandalism of BPU property
- Any attempt at fraud practiced against the BPU
- Any unauthorized connection to a water service

An investigation will be performed by the BPU if tampering or theft of service is suspected. If the BPU determines that tampering or theft of service has occurred, it will be presumed to have been done by the customer(s) of record with the intent to avoid payment for service. As such, the customer(s) of record will be subject to charges and possible criminal prosecution. Charges and ramifications associated with each tampering case will be determined by the BPU. The BPU may report tampering and theft of service to the local police department. Investigations into the unlawful use of water will be performed by the police department. Records of tampering and theft of service will be maintained by the BPU for each customer.

(II) Charges to the Customer

Charges applicable to the tampering or theft of service offense will be added to the customer's bill - such charges include:

- Tampering or Theft of Service Fee of (1) \$250 for the first offense or (2) \$500 for a second or additional offense
- Reconnection fee of \$30
- Total calculated cost of unmetered water and sewer (if applicable) for a prior period of up to 24 months
- Cost to repair or replace any damaged BPU equipment
- Other applicable charges

The charges are in addition to all other water basic service and consumption charges, and are subject to late fees and penalties. The charges are not eligible for deferred payment agreements. All charges will be noted on the account. The cost of unmetered water and sewer (if applicable) will be determined through an analysis of the customer's past average water usage before the tampering was estimated to have occurred; the average water usage will be utilized to calculate

**BOARD OF PUBLIC UTILITIES
SCHEDULE OF WATER RATES**

PROVISIONS APPLICABLE TO ALL CONSUMERS

the total estimated amount of water that was consumed but not paid for over the period of tampering and theft of service. If an estimated amount of unmetered water cannot be reasonably determined, then the customer will be back-billed based upon the average water usage of a BPU water customer with a similar class of service. Back-billing for unmetered water and sewer will be decided on a case by case basis by the BPU according to the facts of the tampering and theft of service case.

(III) Disconnection of Service

Any tampering and theft of service may result in disconnection of water service. If tampering and theft of service occurs on a service with multiple meters, the customer's service is to be shut off at the meter and anti-tampering devices are to be installed. The BPU shall not be liable for any damage or loss resulting from the disconnection of a water service.

(IV) Connection of Service

Reconnection of service at an existing location or connection of service at a new location for a customer with past tampering and theft of service history will adhere to the following steps:

i. Payment of Charges

All charges applicable to past tampering offense(s) must be paid in full by the customer prior to consideration for service connection.

ii. Application for Water Service

Following full payment of charges, the customer may be required to complete a new "*Application for Water Service*" and submit the required utility deposit at BPU Customer Service. While applying for water service, the customer will be advised about the BPU's Tampering and Theft of Service Policy and will be required to sign a form that acknowledges the terms and charges associated with the policy.

iii. Additional Customer Requirements

Prior to service connection, the customer may be required to install at the utility's specification and his or her expense any alteration in service connections, meter installations, or other arrangements necessary to correct the cause for disconnecting water service and to insure against recurrence.

iv. Connection of Service

Once all of the required steps for connection of service have been completed by the customer, the BPU will connect the water service within regular working hours (except in the case of an emergency).