

**Utilities Rules and Regulations  
(URR)**

**Final Tariff Sheets**

## UTILITIES RULES AND REGULATIONS

### GENERAL

#### **Other Rights, Limitations, and Obligations – cont'd**

- b. The Release must contain the following information:
  - i. the Customer's name, address and telephone number;
  - ii. the Customer's account number;
  - iii. the name of the Person to whom the information may be released;
  - iv. the time frame covered by the Release;
  - v. the specific information to be released;
  - vi. the Customer's signature; and
  - vii. the signature and seal of a notary public.
- c. The burden is on the party requesting the information to obtain the Release from the Customer and to provide it to Utilities. The requirement of the signature and seal of a notary public may be waived by Utilities if authorization from the Customer is provided in person or telephonically to Utilities following appropriate Customer verification. Any such Release under this provision releases Utilities from any claim resulting from any use or misuse of the information provided.
- d. Notwithstanding above stated in part b, Utilities may accept at its discretion a customer executed release in a form provided by a state or federal assistance entity.

#### I. Dispute Resolution Procedure

##### 1. General

Any Customer's or user's dispute with Utilities concerning the Customer's or user's utility service or proposed utility service, except as otherwise provided herein, including, without limitation, billing errors and omissions, termination of service, line extensions or alleged violations of regulations or ordinances, shall be reviewed and determined by the following procedure, unless otherwise provided for in ordinances or resolutions. The process consists of a mandatory first step of an Informal Review and, if the Customer or user is dissatisfied with the Informal Review, a Formal Review. A Customer or user is required to complete the dispute resolution procedure, which results in a final decision, before seeking any judicial action.

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**UTILITIES RULES AND REGULATIONS**

**WATER**

**Water – cont’d**

B. Water Extension Policy

A property Owner or developer is responsible for the cost of engineering, construction, and materials for all water system infrastructure and related appurtenances necessary to serve the Premises or development. Utilities will approve the plans and specifications of such facilities and appurtenances and inspect and approve the actual construction prior to connection of such facilities. The property Owner or developer is also responsible for any required pumping facilities (including pressure relief valves, pressure-reducing valves and flow-control valves) and vaults, and all fire hydrants that are necessary to serve the Premises or development.

1. Pipelines

Utilities may require that a property Owner or developer construct water distribution facilities through or adjacent to unserved or undeveloped lands. In such circumstance, the property Owner or developer may be required to pay the entire cost of such facilities. However, Utilities may agree in a Recovery Agreement with such property Owner or developer to collect a pro rata share of the eligible cost of such facilities and interest as provided within Section VIII.C., Water Recovery Agreement Charge, of these Rules and Regulations from the property Owner or developer of such unserved or undeveloped lands at the time of connection to the facilities and refund such cost as provided in the Recovery Agreement.

Utilities may require that a property Owner or developer construct a Water Distribution Main of a larger diameter than that required for the property Owner’s or developer’s needs to provide for the service of lands beyond the Premises or development. In the event Utilities determines that construction of such an oversized Water Distribution Main is necessary for the efficient expansion of the system, the property Owner or developer served may be responsible for the costs of engineering, materials and installation of such main. In that circumstance, the property Owner or developer may recover the cost of capacity associated with the oversizing requirement.

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## UTILITIES RULES AND REGULATIONS

### WATER

#### Water – cont'd

Utilities may agree in a Recovery Agreement with such property Owner or developer to collect the oversize capacity cost allocation from benefiting future developments. Escalation of Oversize Recovery Charges follow the process as provided within Section VIII.C., Water Recovery Agreement Charge, of these Rules and Regulations.

a. Large Main Extension Fund

Subject to funding availability and program rules as developed by Utilities, Utilities' Large Main Extension Fund is available to assist in the financing of qualifying offsite water and wastewater facilities. See also Section IX. C.1.a. The initial fund balance is limited to \$10,000,000 for water and wastewater facilities combined. At its sole discretion, Utilities may increase the fund balance to \$15,000,000 for water and wastewater facilities combined.

i. Qualifications

Utilities will review applications and award funds to the highest-ranking qualified projects. Utilities may award partial funding based on funding availability and/or project ranking. Facilities eligible for consideration must meet the following qualifications, as well as those qualifications established by Utilities in the program rules.

- a. Premises or developments served by the facilities must be located inside the City limits; and
- b. Pipelines must have a 24-inch minimum diameter; and
- c. The estimated facility cost must exceed \$1,500,000; and
- d. Property Owner or developer must apply within Utilities' application period and the facility must be selected under Utilities' program rules. Separate applications are required for water and wastewater facilities. Fund qualifications and limitations apply separately to each water or wastewater facility; and
- e. At the time of application, the property Owner or developer must provide cost estimates and other documentation as required under Utilities' program rules.

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**UTILITIES RULES AND REGULATIONS**

**WATER**

**Water – cont'd**

- ii. Administration
  - a. The property Owner or developer served by the qualifying facility is responsible for engineering, construction, materials, and installation of large mains. All applicable rules and regulations and Water Line Extension and Service Standards apply.
  - b. As established by program rules, Utilities will review cost documentation. Failure to efficiently manage project cost or meet program rules may result in denial of fund payments. Fund payments to the property Owner or developer will be paid after construction of the qualifying facility and upon determination of the costs of such construction or as otherwise determined by Utilities. Payments from the fund reduce the fund balance.
  - c. The property Owner or developer served by the qualifying facility is responsible for the cost of capacity required to serve the property Owner's or developer's proposed development (the Property Owner's or Developer's Share). The property Owner or developer will repay the outstanding balance of the Property Owner or Developer's Share in three annual payments. Interest will be charged on the outstanding balance during such repayment period based on the Interest Rate, compounded annually. Utilities will calculate the outstanding balance of the Property Owner's or Developer's Share at the time of completion of construction of the facility such that the three annual payments are equal.
  - d. A qualifying facility is limited to \$4,000,000 of funding. In the event the estimated construction costs exceed the funding limit, the property Owner or developer will be required to fund the balance of cost.

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**UTILITIES RULES AND REGULATIONS**

**WATER**

**Water – cont'd**

- e. All costs advanced by Utilities for construction of the oversize capacity allocation benefiting future developments will be collected with interest through Recovery Agreement Charges. Future developments are not eligible to apply for Fund financing.
- f. Costs collected by Utilities, whether through annual payments from property Owners or developers of served facilities or Recovery Agreement Charges, will be credited to the Fund.

If Utilities determines that extension of a water distribution system is in the best interest of Utilities to protect water service to existing Customers, to allow for the continued development within the service area, and/or to provide benefit to the entire service area, Utilities may, at its sole discretion, design and construct the water distribution system located outside the boundaries of the unserved or undeveloped land. Utilities will recover the cost to design and construct such facilities, with interest, through a Recovery Agreement Charge from the property Owner or developer of unserved or undeveloped lands prior to connection to such facilities. Utilities may implement an Advance Recovery Agreement Charge to collect the cost of the facilities in advance of its construction. Advance Recovery Agreements are limited to Utilities' designated projects to the extent Utilities determines, at its sole discretion.

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**UTILITIES RULES AND REGULATIONS**

**WATER**

**Water – cont’d**

3. Standby Service Option WRSAF

Regional Customers contracting for the Standby Service Option to help meet their water needs, on a temporary basis, when their normal operations are disrupted will pay the Standby Service Option WRSAF per contracted:

	<u>Total</u>	<u>Annual</u>
Acre Foot .....	\$2,263.00.....	\$128.00
MGD .....	\$2,799,374.00.....	\$158,309.00

4. Additional WRSAF Due

An additional WRSAF charge is applicable to:

- a. any increase in size of an existing meter, or
- b. any increased consumption that results in damage to Utilities’ facilities or exceeds the capacity of the meter.

The Customer shall pay the cost to upgrade the service and replace the meter and applicable WRSAF. The additional WRSAF will be assessed for any such increase in meter size in an amount representing the difference between the charge which would be imposed for the existing meter size and the charge which would be imposed for the size of the new meter. Payment for the additional WRASF will be collected:

- c. at the time the meter size is increased in relation to Section VIII.K.3.a. and
- d. in accordance with Utilities’ billing requirements in relation to Section VIII.K.3.b.

Any request for a change in water service type shall be administered as a new application for service and is subject to all requirements of the City Code and tariffs. If the change in use does not result in an increase in meter size, no additional WRSAF is due.

5. Non-waiver of the WRSAF

The applicable WRSAF will not be waived for any entity requesting connection to Utilities’ water supply system.

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**UTILITIES RULES AND REGULATIONS**

**WASTEWATER**

**Wastewater – cont'd**

C. Wastewater Extension Policy

A property Owner or developer is responsible for the cost of engineering, construction and materials for all wastewater collection system infrastructure and related appurtenances necessary to serve the Premises or development. Utilities will approve the plans and specifications of such facilities and appurtenances and inspect and approve the actual construction prior to connection of such facilities.

1. Pipelines

Utilities may require that a property Owner or developer construct wastewater collection facilities through or adjacent to unserved or undeveloped lands. In such circumstance, the property Owner or developer may be required to pay the entire cost of such facilities. However, Utilities may agree in a Recovery Agreement with such property Owner or developer to collect a pro rata share of the eligible cost of such facilities and interest as provided within Section IX.D., Wastewater Recovery Agreement Charge, of these Rules and Regulations from the property Owner or developer of such unserved or undeveloped lands at the time of connection to the facilities and refund such cost as provided in the Recovery Agreement.

Utilities may require that a property Owner or developer construct a Wastewater Collection Main of a larger diameter than that required for the property Owner's or developer's needs to provide for the service of lands beyond the Premises or development. In the event Utilities determines that construction of such an oversized Wastewater Collection Main is necessary for the efficient expansion of the system, the property Owner or developer served may be responsible for the costs of engineering, materials, and installation of such main. In that circumstance, the property Owner or developer may recover the cost of capacity associated with the oversizing requirement

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**WASTEWATER**

**Wastewater – cont'd**

Utilities may agree in a Recovery Agreement with such property Owner or developer to collect oversize capacity cost allocation from benefiting future Escalation of Oversize Recovery Charges follow the process as provided within Section IX.D., Wastewater Recovery Agreement Charge, of these Rules and Regulations.

a. Large Main Extension Fund

Subject to funding availability and program rules as developed by Utilities, Utilities' Large Main Extension Fund is available to assist in the financing of qualifying offsite water and wastewater facilities. See Section VII.B.1.a.

If Utilities determines that extension of a wastewater collection system is in the best interest of Utilities to protect wastewater service to existing Customers, to allow for the continued development within the service area, and/or to provide benefit to the entire service area, Utilities may, at its sole discretion, design and construct the wastewater collection system located outside the boundaries of the unserved or undeveloped land. Utilities will recover the cost to design and construct such facilities, with interest, through a Recovery Agreement Charge from the property Owner or developer of unserved or undeveloped lands prior to connection to such facilities. Utilities may implement an Advance Recovery Agreement Charge to collect the cost of the facilities in advance of its construction. Advance Recovery Agreements are limited to Utilities' designated projects to the extent Utilities determines, at its sole discretion.

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## UTILITIES RULES AND REGULATIONS

### WASTEWATER

#### Wastewater – cont'd

All costs incidental to or resulting from the procurement by Utilities of any required easement or right-of-way, whether obtained by dedication, contract, condemnation or otherwise, is borne by the property Owner or developer and may be included in a Recovery Agreement.

When residents in designated enclave areas, which are platted and which contain occupied dwellings, request extension of the wastewater collection system, Utilities may participate in the cost of such extension to the extent Utilities determines, at its sole discretion, that installation of wastewater collection facilities will sufficiently reduce operational expenses to justify the extension and that the extension is required for efficient and safe operation of the system. At its sole discretion, Utilities may participate in the cost of extensions to serve designated enclave or unsewered areas. All costs advanced by Utilities for participation in such extensions will be recoverable as Recovery Agreement Charges for connection to the collection system extended by Utilities at the time such connections are made or as stipulated in the Recovery Agreement.

A property Owner or developer will be responsible for the cost of construction of relief systems and necessary appurtenances when proposed flow demand exceeds existing system capacity. These relief facilities may be constructed on the property of the property Owner or developer or off-site at other locations within the collection system. At the discretion of Utilities, Utilities may enter into a cost-sharing agreement with the property Owner or developer to pay a pro rata share of the construction cost of relief systems based on the determination of benefit to Utilities. Benefit to Utilities may be derived from, but not limited to, the following:

- a. relief of pipelines operating in excess of design capacity;
- b. replacement of structurally deficient pipelines;
- c. replacement of pipelines subject to flooding or other hazards;
- d. replacement of pipelines with inadequate operations and maintenance access;
- e. replacement of pipelines subject to excessive inflow/infiltration; and
- f. pipelines that provide for the elimination of pump stations and force mains.

The property Owner(s) or developers and Utilities will have the right to reimbursement under the provisions of the Recovery Agreement for construction of relief facilities, as determined by Utilities.

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