

UTILITIES RULES AND REGULATIONS

GENERAL

6. BILLING - cont'd

2. Commercial Service

- a. Current charges may include credits or additional amounts Utilities determines to be due from past billing periods arising from any event, whether or not under the control of Utilities, including but not limited to meter malfunctions, billing errors, meter reading errors, failure to read a meter or automated meter reading technology errors.
- b. Active Customers who have been underbilled for service received, whether or not in the control of Utilities, will be re-billed not to exceed twelve (12) consecutive billing periods for the actual or estimated service based on Utilities' records or other information acceptable to Utilities. Should any subsequent under billing event occur within twelve (12) months of a previous under billing event, for the same Customer and same meter, or be the result of a recurring Utilities error as determined by Utilities, Utilities will not re-bill the Customer for the subsequent under billing.
- c. Customers are permitted to make installment payments if any amounts from a past billing period are included in current charges. Typically, installment payments will not extend over a period that exceeds the length of the period during which the errors were accumulated.

C. Overbilling

1. Overbilling adjustments will be applied to current Customer accounts without interest.
2. Previous Customer accounts will be reviewed to determine if they were affected by the overbilling. If it is determined that an overbilling affected a previous Customer, reasonable efforts will be made to locate the Customer and refund any amounts owed due to the overbilling without interest.

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GENERAL

6. BILLING - cont'd

3. No overbilling adjustments, credits or refunds will be made in situations where utility service has been metered within Utilities' prescribed accuracy limits. Reasonable overbilling adjustments can be made where consumption has been estimated due to failure or malfunction of metering equipment and Utilities is provided with information acceptable to Utilities indicating that the estimated consumption does not reasonably equate to the Customer's ability to use the utility services provided.

D. Water Leak Adjustment Program

The Water Leak Adjustment Program is intended to provide financial relief to Customers who experience extremely high water use as a result a leak. Water leak adjustments are limited to two per Premise in any thirty-six (36) month period. Water leak adjustments may span a maximum of two billing periods.

Within the context of the program, a water leak shall be defined as "an unintentional water loss caused by broken or damaged plumbing fixtures, pipes, or irrigation equipment, at a Customer's residence or non-residential site that results in a Customer's bill(s) being higher than the Customer's typical bill for water services."

Upon application for a water leak adjustment in accordance with a Customer's type of water service, as discussed below, a Customer must verify that a water leak occurred, the estimated time frame of the water leak, and that the water leak was repaired. Utilities will accept reasonable documentation that the water leak was repaired, such as a receipt for repairs, parts, or a signed affirmation of the Customer. Utilities shall have the right to deny an application for a water leak adjustment or reduce the adjusted quantity of water that passed through the billing meter as a result of the water leak for a water leak adjustment if, in Utilities' sole discretion, the leak or its magnitude is the result of negligence or malicious acts by the Customer.

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UTILITIES RULES AND REGULATIONS

GENERAL

13. DISCONTINUANCE OF SERVICE - cont'd

F. Medical Certificate

In the event a Medical Certificate is received by Utilities, residential service cannot be discontinued, or if already discontinued, must be restored. The period of non-discontinuance of service is effective for sixty (60) days from the date of the Medical Certificate. One thirty (30) day extension of service may be granted by receipt of a second Medical Certificate by Utilities prior to the expiration of the initial sixty (60) day period. A maximum of ninety (90) days per household will be granted in any consecutive twelve (12) month period. The twelve (12) month period begins on the date the first Medical Certificate is presented to Utilities.

14. RESTORATION OF SERVICE

- A. Service will be restored within twenty-four (24) hours, unless extenuating circumstances prevent restoration, after the Customer satisfies any one (1) of the following provisions:
1. pays, in full, the amount shown on a notice of discontinuance and any restoration charges, provided payment has been confirmed by Utilities
 2. makes acceptable payment arrangements,
 3. presents a Medical Certificate to Utilities, or
 4. notifies Utilities that the cause of discontinuance has been corrected and such information is confirmed by Utilities.
- B. A thirty dollar (\$30.00) fee will be charged for restoration of service not caused by operational or maintenance activities. If a Customer requests one or more of the meters to be restored on a subsequent day, which requires another trip, an additional thirty dollar (\$30.00) restoration fee will be charged.
- C. An additional fee of ten dollars (\$10.00) will apply when a Customer requests restoration of service outside of Utilities' normal business day.

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UTILITIES RULES AND REGULATIONS

ELECTRIC

19. ELECTRIC LINE EXTENSIONS AND SERVICES - cont'd

be cancelled outside the time frame set out in Utilities' policies or the service installation itself may not comply with Utilities' *Line Extension & Service Standards* when it is inspected. For those events the following fees shall apply on and after April 1, 2007:

Return Trip Single Service:\$299.98

Return Trip Joint Service:\$491.89

5. Cancellation Fees

In certain instances under Utilities' policies, a reduced fee may be charged for cancellation of inspection and connection appointments. In that circumstance, the following fees shall apply on and after April 1, 2007:

Step One Fee: 10% of applicable Return Trip Fee

Step Two Fee: 25% of applicable Return Trip Fee

Step Three Fee: 50% of applicable Return Trip Fee

6. Electric Distribution Charge (Electric Only)

The contributions-in-aid of construction will be determined as the sum of the following:

- \$17.36 per linear foot of (underground) single-phase primary distribution line required to serve such Customer;
- \$11.37 per circuit foot of three-phase main line distribution line in excess of twenty-two(22) but not more than seventy-five (75) circuit feet of mainline per Customer to be served;
- \$22.74 per circuit foot of three-phase main line distribution line in excess of seventy-five (75) but not more than one hundred seventy-five (175) circuit feet of mainline per Customer to be served; and

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ELECTRIC

19. ELECTRIC LINE EXTENSIONS AND SERVICES - cont'd

- \$54.74 per circuit foot of underground three-phase main line distribution line in excess of one hundred seventy-five (175) circuit feet of mainline per Customer to be served.

7. Electric Distribution Charge (Joint Trench with Gas)

The contributions-in-aid of construction will be determined as the sum of the following:

- \$13.31 per linear foot of (underground) single-phase primary distribution line required to serve such Customer;
- \$11.37 per circuit foot of three-phase main line distribution line in excess of twenty-two (22) but not more than seventy-five (75) circuit feet of mainline per Customer to be served;
- \$22.74 per circuit foot of three-phase main line distribution line in excess of seventy-five (75) but not more than one hundred seventy-five (175) circuit feet of mainline per Customer to be served; and
- \$54.74 per circuit foot of underground three-phase main line distribution line in excess of one hundred seventy-five (175) circuit feet of mainline per Customer to be served.

b. Underground Electric Service - Commercial and Industrial

The Customer will provide, at no cost to Utilities, trenching, backfilling, compaction and restoration of property for the primary and secondary trenches; installation of primary conduit from the primary source to the transformer pad; and installation of secondary conduit, conductor and terminations from the transformer pad to the meter.

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UTILITIES RULES AND REGULATIONS

ELECTRIC

19. ELECTRIC LINE EXTENSIONS AND SERVICES - cont'd

The contributions-in-aid of construction will be determined as the sum of the following:

- \$11.37 per circuit foot of primary mainline distribution line in excess of six (6) but not more than twenty (20) circuit feet of primary and mainline lines per kVA of transformer capacity required to serve the Customer as estimated by Utilities;
- \$22.74 per circuit foot of primary mainline distribution line in excess of twenty (20) but not more than fifty (50) circuit feet of primary and mainline lines per kVA of transformer capacity required to serve the Customer as estimated by Utilities; and
- \$54.74 per circuit foot of underground primary mainline distribution line in excess of fifty (50) circuit feet of primary and mainline lines per kVA of transformer capacity required to serve the Customer as estimated by Utilities.

A. Extensions for Electric Temporary Service

Electric Temporary Service may be provided for construction needs, circuses, bazaars, fairs, fireworks stands, Christmas tree sales, concessions and similar enterprises, or to non-permanent ventures upon application for service for a period not to exceed eighteen (18) months, on the Electric Rate Schedule applicable to the particular class of service.

Utilities will provide a temporary power pedestal (in an underground service area) when distribution facilities exist and upon payment of the Temporary Service Connection Fees. Service loop supports must be supplied by the Customer in overhead service areas and Temporary Service will be provided when distribution facilities exist and upon payment of the charges below.

Electric Temporary Service Connection Fee - A non-refundable fee for the total cost of all labor, material, equipment and supplies required by Utilities to establish and disconnect service to include the removal and return of the pedestal.

Electric Temporary Service Connection Fee\$130.00

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UTILITIES RULES AND REGULATIONS

NATURAL GAS

32. EXTENSION OF NATURAL GAS MAINS AND SERVICES - cont'd

The Applicant will execute an Extension Contract for installation of all new facilities necessary to serve the development. Contracts for economically feasible extensions, as determined by Utilities, under one-hundred thousand dollars (\$100,000.00) in total estimated extension cost will be required to pay twenty percent (20%) of the estimated extension cost in addition to the specified design fee, as a non-refundable payment.

All other Applicants will advance one hundred percent (100%) of the estimated cost of construction to Utilities in addition to the specified non-refundable design fee. As an alternative, the Applicant may advance fifty percent (50%) of the estimated cost of construction and provide adequate assurance acceptable to Utilities for the remaining fifty percent (50%). This assurance will be irrevocable and may be in the form of a letter of credit, cash escrow, set-aside letter, or other forms acceptable to Utilities which will allow Utilities to receive the second fifty percent (50%) immediately after construction. After completion of construction, Utilities will determine the actual costs of construction and will charge (or refund without interest) the contract holder the difference between the estimated and actual costs of construction. Utilities may refuse to make connections until all amounts due to Utilities have been paid. After all the amounts due to Utilities are paid, the Applicant will be entitled to execute a Refund Contract.

C. Refunds

1. Refund Contracts

Advance payments for extension of facilities that are eligible for refunds will be completed under one (1) of the following Refund Contracts:

- a. Single Parcel Refund Contract - This contract is intended to cover the cost of installing mains and Service Stubs to serve a parcel and may include allocated costs for Oversized Distribution Mains. This contract includes provisions for refunding all or part of the advance payment. Refunds of advance payments will be based on estimated or actual revenue. The term of this contract will be ten (10) years.

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UTILITIES RULES AND REGULATIONS

WASTEWATER

34. WASTEWATER DEVELOPMENT CHARGE - cont'd

The initial cost of liquid treatment capacity in the JCC Wastewater Service Area is the responsibility of property developers. Properties that develop in the JCC Wastewater Service Area will be responsible for any reimbursements to developers for funding of liquid treatment capacity as provided for in any outstanding advance recovery agreements or recovery agreements.

- C. For each Non-Residential, Single-Family Residential (1” or larger water meter), Multi-Family or Mixed-Use connection based on meter size:

Inside City Limits

Excluding JCC Wastewater Service Area based on water meter size:

3/4 inch or less (excludes Single-Family Residential).....	\$2,604.00
1 inch.....	\$4,349.00
1-1/2 inch	\$8,671.00
2 inch.....	\$13,879.00
3 inch.....	\$26,040.00
4 inch.....	\$43,409.00
6 inch.....	\$138,871.00
8 inch.....	\$243,031.00
10 inch.....	\$364,560.00
12 inch.....	\$460,049.00

Inside City Limits

JCC Wastewater Service Area – Sludge Treatment and Conveyance, based on water meter size

3/4 inch or less (excludes Single-Family Residential).....	\$445.00
1 inch.....	\$743.00
1-1/2 inch	\$1,482.00
2 inch.....	\$2,372.00
3 inch.....	\$4,450.00
4 inch.....	\$7,418.00
6 inch.....	\$23,732.00
8 inch.....	\$41,532.00
10 inch.....	\$62,300.00
12 inch.....	\$78,618.00

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UTILITIES RULES AND REGULATIONS

WASTEWATER

34. WASTEWATER DEVELOPMENT CHARGE - cont'd

Outside City Limits

Excluding JCC Wastewater Service Area, based on water meter size

3/4 inch or less (excludes Single-Family Residential).....	\$3,906.00
1 inch.....	\$6,524.00
1-1/2 inch.....	\$13,007.00
2 inch.....	\$20,819.00
3 inch.....	\$39,060.00
4 inch.....	\$65,114.00
6 inch.....	\$208,307.00
8 inch.....	\$364,547.00
10 inch.....	\$546,840.00
12 inch.....	\$690,074.00

Outside City Limits

JCC Wastewater Service Area – Sludge Treatment and Conveyance, based on water meter size

3/4 inch or less (excludes Single-Family Residential).....	\$667.00
1 inch.....	\$1,115.00
1-1/2 inch.....	\$2,223.00
2 inch.....	\$3,558.00
3 inch.....	\$6,675.00
4 inch.....	\$11,127.00
6 inch.....	\$35,598.00
8 inch.....	\$62,298.00
10 inch.....	\$93,450.00
12 inch.....	\$117,927.00

Mixed-Use Premises shall pay the rate per water meter under section 34. D. when one water meter is requested. If more than one water meter is requested, the non-residential use shall pay the rate per water meter under section 34. D. and the Multi-Family use shall pay the rate per water meter under section 34. B. multiplied by the number of dwelling units for individually metered connections provided the metering configuration is approved by Utilities.

The initial cost of liquid treatment capacity in the JCC Wastewater Service Area is the responsibility of property developers. Properties that develop in the JCC Wastewater Service Area will be responsible for any reimbursements to developers for funding of liquid treatment capacity as provided for in any outstanding advance recovery agreements or recovery agreements.

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WASTEWATER

34. WASTEWATER DEVELOPMENT CHARGE - cont'd

D. Additional WWDC for Services

An additional WWDC may be assessed for large nonresidential service for the incremental increase in Biochemical Oxygen Demand (BOD) and Total Suspended Solids (TSS). In the event of collection system or treatment system capacity constraints, Utilities reserves the right to limit the availability of service or require recycling of wastewater if individual circumstances warrant such restrictions.

An additional WWDC may also be assessed as follows:

1. any increase in size of an existing water meter;
2. when wastewater service conditions change as a result of changes in Customer operations;
3. the remodeling or moving of existing Customer buildings or structures; or
4. the construction of additional Customer buildings or structures.

The WWDC will be assessed for any such increase in the size of an existing meter in an amount equal to the difference between the WWDC which would be imposed for the existing service conditions and the WWDC imposed for the proposed service conditions. Payment of the WWDC is due in full in cash or check, prior to the issuance of a building permit or as provided in 34 J. Any request for a change in wastewater service shall be administered as a new application for service and subject to all requirements of the City Code and these Tariffs. If the service is not applicable to section 34 C and the change in use does not result in an increase in water meter size, no additional WWDC is due.

E. Non-waiver of WWDC

The applicable WWDC will not be waived for any governmental, quasi-governmental or nonprofit organization or any other entity requesting connection to Utilities' wastewater system.

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WASTEWATER

34. WASTEWATER DEVELOPMENT CHARGE - cont'd

F. Credit for Prior WWDC Payment

Credit for the WWDC paid for a prior development may be given for reuse of existing connections, or for new connections to a land parcel where the WWDC charge was paid. Credit for Multi-Family Residential dwelling units and non-residential service must be determined by inspection by Utilities before any remodeling, moving or demolition of the structure occurs. No refund for excess credit will be given.

Credit for the WWDC may only be transferred between Premises if all of the conditions listed below are met to Utilities' satisfaction. Any sale of credit for the WWDC is expressly prohibited. Credit for a WWDC can only be transferred one time. Any paid recovery agreement charges shall remain with the donor Premises and are not eligible to be transferred. No refund of excess credits, if any, will be given.

Conditions:

1. There must be common ownership of the donor Premises and recipient Premises; the party requesting the transfer of credit for the WWDC must provide Utilities with proof of common ownership, which may include, but is not limited to evidence of common ownership at a parent company level;
2. Both the donor Premises and the recipient Premises must be Non-residential, Multi-Family or Mixed Use;
3. The donor Premises must be a vacant parcel without structure(s);
4. The recipient Premises must meet and comply with all then current infill descriptions and/or criteria established by City of Colorado Springs;
5. The recipient Premises must have an approved development plan, in accordance with applicable laws and regulations, prior to Utilities' approval of a transfer of the WWDC credit;
6. All service line ordinances, regulations, and policies shall apply to transferred WWDC credits and any applicable charges and/or fees shall be paid; and
7. The party requesting the credit transfer shall pay to Utilities a fee of \$100.00 and shall commit to be responsible for all costs associated with the transfer, including but not limited to, title commitment, processing, and recording fees.

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WASTEWATER

34. WASTEWATER DEVELOPMENT CHARGE - cont'd

Upon the completion of a transfer of credit for the WWDC, the transfer will be effectuated by recording a notice to the El Paso County Clerk and Recorder for both the donor Premises and the recipient Premises, which recording fees shall be paid by the owner of the donor and recipient Premises. The notice shall include the credits transferred and remaining, and applicable service dates associated with each Premises.

G. Request for WWDC Refund

Requests for a refund of the WWDC for connections not constructed must be made in writing to Utilities within two (2) years of payment of the WWDC. No refunds of any such charges will be made unless a request is received by Utilities within two (2) years of payment and no service has been connected. Any charges which are not refunded are retained by Utilities as a contribution-in-aid of construction. Payments for WWDC may be applied within twenty (20) years as a credit towards the payment of the WWDC for connection of the same land parcel, which may become due thereafter.

In any event, no credit will be given after twenty (20) years or more from the date of discontinuance of use of the existing connection or payment of the unused WWDC.

H. Inactive Wastewater Service

In the event that a service line was classified as abandoned and/or inactive through prior Utilities' Rules and Regulations standards and/or City Code provisions (prior to March 1, 2016), the property Owner(s) may request to reestablish utility service from Utilities and Utilities shall reestablish the service upon payment of applicable fees and compliance with applicable rules and regulations.

I. Timing of Payment of the WWDC and Related Connection Charges

Payment for a new connection or increased service level as provided in section 34.E:

1. Shall be due in full in cash or check prior to the issuance of a building permit, or
2. The WWDC may be deferred until the time prior to the installation of a meter to serve a Premise. The deferred WWDC, Recovery Agreement Charges or any other fees shall be paid at the then current rates plus an additional charge equal to a 5% annual interest rate of the deferred amount, calculated per day, and shall be paid in full in cash or check prior to the installation of meters and prior to the provision of service. The payment of all Wastewater Permit Fees and all other related charges, as determined by Utilities, shall be paid prior to the issuance of the building permit.

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WASTEWATER

34. **WASTEWATER DEVELOPMENT CHARGE - cont'd**

J. WWDC Deferral for Primary Employers

A Primary Employer enlarging its facilities or building new facilities within the City limits may be eligible for deferral of the WWDC.

If the commercial or industrial operation meets the Primary Employer criteria, it may submit an application for development charge deferral to Utilities. Upon approval of the application by Utilities, the company is qualified to pay the WWDC on a five (5) year payment schedule. Payments can be made either on a monthly or yearly basis at a preset date as agreed to in the contract for service. Interest charges on WWDC not paid will be calculated in accordance with the published ten (10) year U.S. Treasury Note rate (Interest Rate).

K. WWDC Deferral for Affordable Housing

There are two defined Affordable Housing Programs for WWDC deferral based on the targeted income level for the affordable housing project. Projects, which are a mix of affordable and traditional units, are eligible to receive a deferral only for that portion of the project which is affordable and qualifies under this program.

Single-family residences or Multi-Family Residential Premises construction that meet:

1. the affordable housing criteria as defined by the City of Colorado Springs Housing and Community Development Office, and
2. the energy and water conservation standards defined in Utilities' Affordable Housing Program are eligible for a deferral of the WWDC.

Deferral of the WWDC is on a first-come, first-served basis and will not, in aggregate, exceed five percent (5%) of Utilities' previous year's total WWDC revenues. Therefore, regardless of the number of applications reviewed and preliminarily approved, deferrals will be issued on an annual basis up to, but not exceeding, the financial guidelines. All projects obtaining a service contract during a given year after this limitation has been met will not receive deferrals, nor will the WWDC be eligible for refund in subsequent calendar years.

The amounts to be repaid under any of the Affordable Housing Programs will be based on the WWDC in effect at the time the first repayment is made, but will not exceed the deferred amount plus interest charges. Interest charges used to determine the "not-to-exceed" amount will be calculated from the date of deferral to the date of first repayment in accordance with the Interest Rate in effect on the date of deferral, compounded annually.

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RESERVED FOR FUTURE FILING

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UTILITIES RULES AND REGULATIONS

WASTEWATER

37. DISCHARGE PERMIT FEE

- A. A Discharge Permit Fee of one thousand one hundred and thirty-two dollars (\$1,132.00) will be assessed to all significant industrial users proposing to connect to, and discharge into, any part of the wastewater treatment system and collected at the time of application. This fee is non-refundable and will not be assessed on a pro rata basis.
- B. An annual renewal Discharge Permit Fee of one thousand one hundred and thirty-two (\$1,132.00) will be assessed to existing Discharge Permit holders in accordance with the City Code. This fee is non-refundable and will not be assessed on a pro rata basis.

38. ZERO DISCHARGE PERMIT FEE

A Zero Discharge Permit Fee charge of fifty dollars (\$50.00) will be assessed to all significant industrial users proposing to connect to any part of the wastewater treatment system and collected at the time of application or any subsequent renewal. This fee is non-refundable and will not be assessed on a pro rata basis.

39. APPLICABILITY OF CITY CODE – WASTEWATER

Wastewater service outside city limits is subject to the requirements of the Code of the City of Colorado Springs (including without limitation Part 2 of Article 6 of Chapter 7 pertaining to Annexations and Part 3 of Article 5 of Chapter 12 pertaining to Wastewater Service) as the Code is now in effect and as it may be amended from time to time hereafter by City Council.

40. RESERVED FOR FUTURE USE

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UTILITIES RULES AND REGULATIONS

WATER

41. WATER DEVELOPMENT CHARGE

A Water Development Charge (WDC) is assessed for each new connection to Utilities’ supply system except for those Customers receiving service under the Augmentation Water Service Rate Schedule. The applicable WDC is shown below.

A.1. For each Single-Family Residential Connection with a ¾ inch water meter:

Inside City Limits

Less than 3,000 square foot lot	\$5,887.00
Between 3,000 and 4,999 square foot lot.....	\$6,533.00
Between 5,000 and 6,999 square foot lot.....	\$7,956.00
Between 7,000 and 8,999 square foot lot.....	\$9,292.00
Between 9,000 and 10,999 square foot lot.....	\$10,197.00
Between 11,000 and 14,999 square foot lot.....	\$11,555.00
15,000 square foot or larger lot.....	\$12,913.00

Outside City Limits

Less than 3,000 square foot lot	\$8,830.00
Between 3,000 and 4,999 square foot lot.....	\$9,800.00
Between 5,000 and 6,999 square foot lot.....	\$11,934.00
Between 7,000 and 8,999 square foot lot.....	\$13,938.00
Between 9,000 and 10,999 square foot lot.....	\$15,296.00
Between 11,000 and 14,999 square foot lot.....	\$17,332.00
15,000 square foot or larger lot.....	\$19,369.00

A.2. For each Non-Residential, Single-Family Residential (1” or larger meter), Multi-Family or Mixed-Use connection based on meter size:

Inside City Limits

¾ inch or less (excludes Single-Family Residential).....	\$9,292.00
1 inch.....	\$15,487.00
1-1/2 inch	\$30,973.00
2 inch.....	\$49,557.00
3 inch.....	\$92,920.00
4 inch.....	\$154,867.00
6 inch.....	\$495,542.00
8 inch.....	\$867,222.00
10 inch.....	\$1,300,880.00
12 inch.....	\$1,641,618.00

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WATER

41. WATER DEVELOPMENT CHARGE - cont'd

Outside City Limits

3/4 inch or less (excludes Single-Family Residential)	\$13,938.00
1 inch	\$23,230.00
1-1/2 inch.....	\$46,460.00
2 inch	\$74,336.00
3 inch	\$139,380.00
4 inch	\$232,300.00
6 inch	\$743,313.00
8 inch	\$1,300,833.00
10 inch	\$1,951,320.00
12 inch	\$2,462,427.00

Mixed-Use Premises shall pay the rate per water meter under section 41.A.2. when one water meter is requested. If more than one water meter is requested, the non-residential use shall pay the rate per water meter under section 41.A.2., and the Multi-Family use shall pay the rate per water meter in section 41.B. multiplied by the number of dwelling units for individually metered connections provided the metering configuration is approved by Utilities.

- B. For each Multi-Family Residential Premises connection or for each additional 3/4 inch Residential connection on a Single Platted Lot:

Inside City Limits	\$5,295.00
Outside City Limits	\$7,942.00

Individually metered Multi-Family Premise connections shall pay the applicable WDC in section 41.B. multiplied by the number of dwelling units, while Master Metered Multi-Family Premise connections shall pay the WDC per meter under section 41.A.2.

- C. For Non-potable Water Connection Based on Meter Size:

2 inch or less	\$10,714.00
3 inch.....	\$23,614.00
4 inch.....	\$37,680.00
6 inch.....	\$75,167.00

Upon approval of Utilities, payment of the WDC for a new non-potable point of service is not required if there will be an offsetting reduction in potable water consumption from an existing potable water service. Requests for new or additional water demands will be required to pay the non-potable WDC.

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WATER

41. WATER DEVELOPMENT CHARGE - cont'd

D. Additional WDC Due

An additional WDC charge is applicable to:

- 1) any increase in size of an existing meter, or
- 2) 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 water development charge, or
- 3) any increased water consumption that occurs because of changes in operations, the remodeling or moving of existing buildings or structures, or the construction of additional buildings or structures, if the WDC was originally computed pursuant to section 41.D (or prior similar provision).

The additional WDC charge will be assessed for any such increase in meter size or water consumption 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 proposed meter or the increased water consumption. Payment for the additional WDC charge will be collected prior to issuance of a building or nonpotable permit or as provided in section 41.K or when the increased water consumption begins. Any request for a change in water service shall be administered as a new application for service and subject to all requirements of the City Code and tariffs. If the service is not applicable to section 41.D and change in use does not result in an increase in meter size, no additional WDC is due.

E. Non-waiver of the WDC

The applicable WDC will not be waived for any governmental, quasi-governmental or nonprofit organization or any other entity requesting connection to Utilities' supply system.

F. WDC Deferral for Community Gardens

A Community Garden established on a Premise within the Exclusive Water Service Territory may be eligible for deferral of the WDC.

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UTILITIES RULES AND REGULATIONS

WATER

41. WATER DEVELOPMENT CHARGE - cont'd

A non-profit entity may submit an application to Utilities for WDC deferral for the purposes of a Community Garden. The WDC may be deferred for qualifying Community Gardens until such time as use of the service line is no longer solely for a Community Garden or is not for non-profit use. Upon a change of use from a Community Garden, if the Premise requires a permanent water service connection, the WDC shall be due in accordance with the then current Tariffs for a new connection.

G. Credit for Prior WDC Payment

Credit for the WDC paid for a prior development may be given for reuse of existing connections or for new connections to a land parcel where the WDC charge was paid. Credit for Multi-Family Residential dwelling units and non-residential service must be determined by inspection by Utilities before any remodeling, moving or demolition of the structure occurs. No refund for excess credits will be given.

Credit for the WDC may only be transferred between Premises if all of the conditions listed below are met to Utilities' satisfaction. Any sale of credit for the WDC is expressly prohibited. Credit for a WDC can only be transferred one time. Any paid recovery agreement charges shall remain with the donor Premises and are not eligible to be transferred. No refund of excess credits, if any, will be given.

Conditions:

1. There must be common ownership of the donor Premises and recipient Premises; the party requesting the transfer of credit for the WDC must provide Utilities with proof of common ownership, which may include, but is not limited to evidence of common ownership at a parent company level;
2. Both the donor Premises and the recipient Premises must be Non-residential, Multi-Family or Mixed Use;
3. The donor Premises must be a vacant parcel without structure(s);
4. The recipient Premises must meet and comply with all then current infill descriptions and/or criteria established by City of Colorado Springs;
5. The recipient Premises must have an approved development plan, in accordance with applicable laws and regulations, prior to Utilities' approval of a transfer of the WDC credit;

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41. WATER DEVELOPMENT CHARGE - cont'd

6. If the donor Premises will be left without any remaining WDC credits, the Owner shall remove the water service line to the donor Premises in accordance with City Code and Utilities' Water Line Extension & Service Standards;
7. All service line ordinances, regulations, and policies shall apply to transferred WDC credit and any applicable charges and/or fees shall be paid; and
8. The party requesting the credits transfer shall pay to Utilities a fee of \$100.00 and shall commit to be responsible for all costs associated with the transfer, including but not limited to, title commitment, processing, and recording fees.

Upon the completion of a transfer of credit for the WDC, the transfer will be effectuated by recording a notice to the El Paso County Clerk and Recorder for both the donor Premises and the recipient Premises, which recording fees shall be paid by the owner of the donor and recipient Premises. The notice shall include the credits transferred and remaining, and applicable service dates associated with each Premises.

H. Request for WDC Refund

Requests for a refund of the WDC for connections not constructed must be made in writing to Utilities within two (2) years of payment of the WDC. No refunds of any such charges will be made unless a request is received by Utilities within two (2) years of payment and no service has been connected. Any charges which are not refunded are retained by Utilities as a contribution-in-aid of construction. Payment for WDC may be applied within nineteen (19) years as a credit towards the payment of the WDC for connection of the same land parcel, which may become due thereafter.

In any event, no credit will be given after nineteen (19) years or more from the date of discontinuance of use of the existing connection or payment of the unused WDC.

I. Inactive Water Service

In the event that a service line was classified as abandoned and/or inactive through prior Utilities' Rules and Regulations standards and/or City Code provisions (prior to March 1, 2016), the property Owner(s) may request to reestablish utility service from Utilities and Utilities shall reestablish the service upon payment of applicable fees and compliance with applicable rules and regulations.

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41. WATER DEVELOPMENT CHARGE - cont'd

J. Timing of Payment of the WDC and related Connection Charges

Payment for a new connection or increased service level as provided in section 41.E:

1. Shall be due in full in cash or check prior to the issuance of a building permit, or
2. The WDC may be deferred until the time prior to the installation of a meter to serve a Premise. The deferred WDC, Recovery Agreement Charges or any other fees – shall be paid at the then current rates plus an additional charge equal to a 5% annual interest rate, calculated per day, of the deferred amount and shall be paid in full in cash or check prior to the installation of meters and prior to the provision of service. The payment of all Water Service Permit Fees and all other related charges as determined by Utilities shall be paid prior to the issuance of the building permit.

K. WDC Deferral for Primary Employers

A Primary Employer enlarging its facilities or building new facilities within the City limits may be eligible for deferral of the WDC.

If the commercial or non-residential operation meets the Primary Employer criteria, it may submit an application for development charge deferral to Utilities. Upon approval of the application by the Greater Colorado Springs Economic Development Corporation and the City of Colorado Springs Office of Economic Development, the company is qualified to pay the WDC on a five (5) year payment schedule. Payments can be made either on a monthly or yearly basis at a preset date as agreed in the contract for service. Interest charges on WDC not paid will be calculated in accordance with the published ten (10) year U.S. Treasury Note rate (Interest Rate).

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WATER

41. WATER DEVELOPMENT CHARGE - cont'd

L. WDC Deferral for Affordable Housing

There are two defined Affordable Housing Programs for WDC deferral based on the targeted income level for the affordable housing project. Projects, which are a mix of affordable and traditional units, are eligible to receive a deferral only for that portion of the project which is affordable and qualifies under this program.

Single-family residences or Multi-Family Residential Premises construction that meet:

1. the affordable housing criteria as defined by the City of Colorado Springs Housing and Community Development Office, and
2. the energy and water conservation standards defined in Utilities' Affordable Housing Program are eligible for a deferral of the WDC.

Deferral of the WDC is on a first-come, first-served basis and will not, in aggregate, exceed five percent (5%) of Utilities' previous year's total WDC revenues. Therefore, regardless of the number of applications reviewed and preliminarily approved, deferrals will be issued on an annual basis up to, but not exceeding, the financial guidelines. All projects obtaining a service contract during a given year after this limitation has been met will not receive deferrals, nor will the WDC be eligible for refund in subsequent calendar years.

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