

**Utilities Rules and Regulations
(URR)**

Final Tariff Sheets



UTILITIES RULES AND REGULATIONS

GENERAL

TABLE OF CONTENTS

SHEET NO.

VII. Natural Gas

- A. Natural Gas Priorities and Conditions of Applications.....68
- B. Natural Gas Service Standards.....68
- C. Natural Gas Meters and Service Connections68
- D. Installation and Maintenance of Natural Gas Piping69
- E. Natural Gas Interconnected Fuel Line Piping.....70
- F. Discontinuance of Natural Gas Service for Unsafe Condition70
- G. Extension of Natural Gas Mains and Services.....72

VIII. Water

- A. Water Development Charge.....82
- B. Water Extension Policy.....91
- C. Water Recovery Agreement Charge93
- D. Augmentation Water Service Extension.....96
- E. Nonpotable Water Service Extension96
- F. Water Service Permit Fees.....96
- G. Utilities’ Liability – Water.....99
- H. Backflow Test Entry Fee99.1
- I. Applicability of City Code – Water99.1
- J. Exclusive Water Service Territory.....100
- K. Water Regional System Availability Fee.....102.1

IX. Wastewater

- A. Wastewater Permit Fee103
- B. Wastewater Development Charge.....104
- C. Wastewater Extension Policy112
- D. Wastewater Recovery Agreement Charge115
- E. Discharge Permit Fee.....117

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____



UTILITIES RULES AND REGULATIONS

GENERAL

TABLE OF CONTENTS

SHEET NO.

VII. Natural Gas

- A. Natural Gas Priorities and Conditions of Applications.....68
- B. Natural Gas Service Standards.....68
- C. Natural Gas Meters and Service Connections68
- D. Installation and Maintenance of Natural Gas Piping69
- E. Natural Gas Interconnected Fuel Line Piping.....70
- F. Discontinuance of Natural Gas Service for Unsafe Condition70
- G. Extension of Natural Gas Mains and Services.....72

VIII. Water

- A. Water Connection Charges and Fees82
- B. Water Extension Policy.....91
- C. Water Recovery Agreement Charge93
- D. Augmentation Water Service Extension.....96
- E. Nonpotable Water Service Extension96
- F. Water Service Permit Fees.....96
- G. Utilities’ Liability – Water.....99
- H. Backflow Test Entry Fee99.1
- I. Applicability of City Code – Water99.1
- J. Exclusive Water Service Territory.....100
- K. Water Regional System Availability Fee.....102.1

IX. Wastewater

- A. Wastewater Permit Fee103
- B. Wastewater Development Charge.....104
- C. Wastewater Extension Policy112
- D. Wastewater Recovery Agreement Charge.....115
- E. Discharge Permit Fee.....117

Approval Date: November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

GENERAL

TABLE OF CONTENTS

	<u>SHEET NO.</u>
F. Zero Discharge Permit	117
G. Applicability of City Code – Wastewater	117
H. Wastewater Regional System Availability Fee.....	118

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

GENERAL

Fees – cont'd

DESCRIPTION	AMOUNT	REFERENCE
WATER		
Water Service Permit Fee		Water, Sheet No. 97
• Initial inspection	\$80	
• Reinspection/return trip (each)	\$50	
Water non-compliance		Water, Sheet No. 99
• First violation	\$0 - \$5,000	
• Second & subsequent violations	\$5,000 - \$10,000	
Water Backflow Test Entry Fee	\$50	Water, Sheet No. 99.1
WASTEWATER		
Wastewater non-compliance with Utilities' <i>Line Extension and Service Standards</i>		Wastewater, Sheet No. 103
• First violation	\$0 - \$500	
• Second & subsequent violations	\$500 - \$1,000	
Wastewater, Emergency and After-Hours Inspection	Time and Materials Cost	Wastewater, Sheet No. 103
Residential Wastewater Fees (including mobile homes, townhouses)		Wastewater, Sheet No. 103
• New Connection	\$80	
• Additional installation, repair or alteration	\$100	
• Reinspection	\$50	
Multi-Family Wastewater Fees, per service line		Wastewater, Sheet No. 103
• New Connection	\$100	
• Additional installation, repair or alteration	\$120	
• Reinspection	\$70	
Nonresidential Wastewater, without grease trap		Wastewater, Sheet No. 103
• New Connection	\$100	
• Additional installation, repair or alteration	\$120	
• Reinspection	\$70	
Nonresidential Wastewater, with grease trap or sand/oil interceptor		Wastewater, Sheet No. 103
• New Connection	\$175	
• Additional installation, repair or alteration	\$195	
• Reinspection	\$145	
Wastewater Discharge Permit Fee, per calendar year (no pro-rata)	\$1,132	Wastewater, Sheet No. 117
Wastewater Zero Discharge Permit Fee	\$50	Wastewater, Sheet No. 117

Approval Date: November 23, 2021
 Effective Date: January 1, 2022
 Resolution No. _____

UTILITIES RULES AND REGULATIONS

ELECTRIC

VI. ELECTRIC

A. Electric Service Standards

1. Utility Provisions

Utilities will furnish, install at its expense, own and maintain the equipment to properly meter the service required except as specified under the Totalization Service charge in the Electric Rate Schedules, and the Automated-Meter Opt-Out Program.

All electric service will be metered except in limited circumstances. Customers may receive service without metering at tariffed rates pursuant to Electric Rate Schedule Sheet No. 5.1 or upon execution of a separate written agreement in which Utilities and the Customer agree upon usage estimation procedures. This separate written agreement option will be limited to instances when Electric Rate Schedule Sheet No. 5.1 is not available and when average, individual, commercial facility loads are estimated to be less than 66 kWh/day and when Utilities, at its sole discretion, (1) determines that metering is not appropriate or cost effective and (2) determines that a limited opportunity for load variance, misuse or subterfuge exists. At any time during the contract period, Utilities may check the Customer's usage and a meter(s) will be installed in a Customer-owned socket(s) if deemed necessary by Utilities.

Standard service consists of overhead service including an overhead service drop from the service line to the Customer's Premise. In the event underground service is desired or is required in an underground service area, the Customer will provide contributions in aid-of-construction. In some existing locations, if this equipment is on the load side of the Point of Common Coupling (aka Service Point as defined by the National Electric Code), the customer is responsible to install or remove the Utilities metering equipment for maintenance and repair.

The Customer will pay the specified fee for design of Line Extensions.

a. Primary Service

This type of service (highest voltage located on the Customer's Premise) is alternating current, 60 hertz, three-phase, four wire wye, 12,470/7,200 volts or 34,500/19,900 volts nominal.

This does not preclude Utilities from providing primary or secondary service to a customer at Utilities convenience, provided the service is metered and billed under the appropriate Electric Tariff.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

VIII. WATER

A. Water Connection Charges and Fees

Water connection charges and fees are assessed for each new connection to Utilities' supply system except for those Customers receiving service under the Augmentation Water Service Rate Schedule or Contract Service – Regional Rate Schedule which is addressed in Section VIII.K. below. The water connection charges and fees consist of the Water Development Charge (WDC) and the Water Resource Fee (WRF). The WDC is based on the capacity requirement for each new connection associated with existing facilities. The WRF is based on the capacity requirement of each new connection associated with facilities needed to serve new development.

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

a. Inside City Limits:

WDC -

Less than 1,500 square foot lot	\$5,538.00
Between 1,500 and 2,999 square foot lot.....	\$5,662.00
Between 3,000 and 4,999 square foot lot.....	\$6,147.00
Between 5,000 and 6,999 square foot lot.....	\$7,600.00
Between 7,000 and 8,999 square foot lot.....	\$8,638.00
Between 9,000 and 10,999 square foot lot.....	\$9,461.00
Between 11,000 and 14,999 square foot lot.....	\$10,696.00
15,000 square foot or larger lot.....	\$11,931.00

WRF -

Less than 1,500 square foot lot	\$1,923.00
Between 1,500 and 2,999 square foot lot.....	\$1,974.00
Between 3,000 and 4,999 square foot lot.....	\$2,092.00
Between 5,000 and 6,999 square foot lot.....	\$2,630.00
Between 7,000 and 8,999 square foot lot.....	\$2,899.00
Between 9,000 and 10,999 square foot lot.....	\$3,168.00
Between 11,000 and 14,999 square foot lot.....	\$3,572.00
15,000 square foot or larger lot.....	\$3,976.00

Approval Date: November 23, 2021
 Effective Date: July 1, 2022
 Resolution No. _____



UTILITIES RULES AND REGULATIONS

WATER

VIII. WATER

A. Water Connection Charges and Fees

Water connection charges and fees are assessed for each new connection to Utilities’ supply system except for those Customers receiving service under the Augmentation Water Service Rate Schedule or Contract Service – Regional Rate Schedule which is addressed in Section VIII.K. below. The water connection charges and fees consist of the Water Development Charge (WDC) and the Water Resource Fee (WRF). The WDC is based on the capacity requirement for each new connection associated with existing facilities. The WRF is based on the capacity requirement of each new connection associated with facilities needed to serve new development.

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

a. Inside City Limits:

WDC -

Less than 1,500 square foot lot	\$5,297.00
Between 1,500 and 2,999 square foot lot.....	\$5,436.00
Between 3,000 and 4,999 square foot lot.....	\$5,760.00
Between 5,000 and 6,999 square foot lot.....	\$7,243.00
Between 7,000 and 8,999 square foot lot.....	\$7,984.00
Between 9,000 and 10,999 square foot lot.....	\$8,725.00
Between 11,000 and 14,999 square foot lot.....	\$9,837.00
15,000 square foot or larger lot.....	\$10,949.00

WRF -

Less than 1,500 square foot lot	\$3,847.00
Between 1,500 and 2,999 square foot lot.....	\$3,948.00
Between 3,000 and 4,999 square foot lot.....	\$4,183.00
Between 5,000 and 6,999 square foot lot.....	\$5,260.00
Between 7,000 and 8,999 square foot lot.....	\$5,798.00
Between 9,000 and 10,999 square foot lot.....	\$6,337.00
Between 11,000 and 14,999 square foot lot.....	\$7,144.00
15,000 square foot or larger lot.....	\$7,952.00

Approval Date: November 23, 2021
Effective Date: July 1, 2023
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

b. Outside City Limits:

WDC -

Less than 1,500 square foot lot	\$8,307.00
Between 1,500 and 2,999 square foot lot.....	\$8,492.00
Between 3,000 and 4,999 square foot lot.....	\$9,220.00
Between 5,000 and 6,999 square foot lot.....	\$11,399.00
Between 7,000 and 8,999 square foot lot.....	\$12,957.00
Between 9,000 and 10,999 square foot lot.....	\$14,192.00
Between 11,000 and 14,999 square foot lot.....	\$16,044.00
15,000 square foot or larger lot.....	\$17,896.00

WRF -

Less than 1,500 square foot lot	\$2,885.00
Between 1,500 and 2,999 square foot lot.....	\$2,961.00
Between 3,000 and 4,999 square foot lot.....	\$3,138.00
Between 5,000 and 6,999 square foot lot.....	\$3,945.00
Between 7,000 and 8,999 square foot lot.....	\$4,349.00
Between 9,000 and 10,999 square foot lot.....	\$4,752.00
Between 11,000 and 14,999 square foot lot.....	\$5,358.00
15,000 square foot or larger lot.....	\$5,964.00

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

a. Inside City Limits:

WDC -

3/4 inch or less (excludes Single-Family Residential).....	\$8,598.00
1 inch.....	\$14,330.00
1-1/2 inch	\$28,660.00
2 inch.....	\$45,856.00
3 inch.....	\$92,568.00
4 inch.....	\$156,476.00
6 inch.....	\$425,616.00
8 inch.....	\$644,390.00
10 inch.....	\$966,609.00
12 inch.....	\$1,265,421.00

Approval Date November 23, 2021
 Effective Date: July 1, 2022
 Resolution No. _____



UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

b. Outside City Limits:

WDC -

Less than 1,500 square foot lot	\$7,946.00
Between 1,500 and 2,999 square foot lot.....	\$8,154.00
Between 3,000 and 4,999 square foot lot.....	\$8,640.00
Between 5,000 and 6,999 square foot lot.....	\$10,865.00
Between 7,000 and 8,999 square foot lot.....	\$11,976.00
Between 9,000 and 10,999 square foot lot.....	\$13,088.00
Between 11,000 and 14,999 square foot lot.....	\$14,756.00
15,000 square foot or larger lot.....	\$16,424.00

WRF -

Less than 1,500 square foot lot	\$5,770.00
Between 1,500 and 2,999 square foot lot.....	\$5,922.00
Between 3,000 and 4,999 square foot lot.....	\$6,275.00
Between 5,000 and 6,999 square foot lot.....	\$7,890.00
Between 7,000 and 8,999 square foot lot.....	\$8,698.00
Between 9,000 and 10,999 square foot lot.....	\$9,505.00
Between 11,000 and 14,999 square foot lot.....	\$10,716.00
15,000 square foot or larger lot.....	\$11,927.00

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

a. Inside City Limits:

WDC -

3/4 inch or less (excludes Single-Family Residential).....	\$7,904.00
1 inch.....	\$13,174.00
1-1/2 inch	\$26,347.00
2 inch.....	\$42,156.00
3 inch.....	\$92,216.00
4 inch.....	\$158,084.00
6 inch.....	\$355,690.00
8 inch.....	\$421,558.00
10 inch.....	\$632,337.00
12 inch.....	\$889,224.00

Approval Date November 23, 2021
Effective Date: July 1, 2023
Resolution No. _____



UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

WRF -

3/4 inch or less (excludes Single-Family Residential).....	\$2,870.00
1 inch.....	\$4,784.00
1-1/2 inch	\$9,567.00
2 inch.....	\$15,308.00
3 inch.....	\$33,485.00
4 inch.....	\$57,404.00
6 inch.....	\$129,158.00
8 inch.....	\$153,076.00
10 inch.....	\$229,614.00
12 inch.....	\$322,895.00

b. Outside City Limits:

WDC -

3/4 inch or less (excludes Single-Family Residential).....	\$12,897.00
1 inch.....	\$21,495.00
1-1/2 inch	\$42,991.00
2 inch.....	\$68,785.00
3 inch.....	\$138,852.00
4 inch.....	\$234,713.00
6 inch.....	\$638,424.00
8 inch.....	\$966,585.00
10 inch.....	\$1,449,913.00
12 inch.....	\$1,898,132.00

WRF -

3/4 inch or less (excludes Single-Family Residential).....	\$4,305.00
1 inch.....	\$7,175.00
1-1/2 inch	\$14,351.00
2 inch.....	\$22,961.00
3 inch.....	\$50,228.00
4 inch.....	\$86,105.00
6 inch.....	\$193,737.00
8 inch.....	\$229,614.00
10 inch.....	\$344,421.00
12 inch.....	\$484,342.00

Approval Date November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

WRF -

3/4 inch or less (excludes Single-Family Residential).....	\$5,740.00
1 inch.....	\$9,567.00
1-1/2 inch	\$19,135.00
2 inch.....	\$30,615.00
3 inch.....	\$66,971.00
4 inch.....	\$114,807.00
6 inch.....	\$258,316.00
8 inch.....	\$306,152.00
10 inch.....	\$459,228.00
12 inch.....	\$645,790.00

b. Outside City Limits:

WDC -

3/4 inch or less (excludes Single-Family Residential).....	\$11,856.00
1 inch.....	\$19,761.00
1-1/2 inch	\$39,521.00
2 inch.....	\$63,234.00
3 inch.....	\$138,324.00
4 inch.....	\$237,126.00
6 inch.....	\$533,534.00
8 inch.....	\$632,337.00
10 inch.....	\$948,506.00
12 inch.....	\$1,333,836.00

WRF -

3/4 inch or less (excludes Single-Family Residential).....	\$8,611.00
1 inch.....	\$14,351.00
1-1/2 inch	\$28,702.00
2 inch.....	\$45,923.00
3 inch.....	\$100,456.00
4 inch.....	\$172,211.00
6 inch.....	\$387,474.00
8 inch.....	\$459,228.00
10 inch.....	\$688,842.00
12 inch.....	\$968,684.00

Approval Date November 23, 2021
 Effective Date: July 1, 2023
 Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

Mixed-Use Premises shall pay the rate per water meter under Section VIII.A.2. when one water meter is requested. If more than one water meter is requested, the nonresidential use shall pay the rate per water meter under Section VIII.A.2. and the Multi-Family use shall pay the rate per water meter in Section VIII.A.3. multiplied by the number of dwelling units for individually metered connections provided the metering configuration is approved by Utilities.

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

a.	Inside City Limits:	
	WDC	\$4,684.00
	WRF	\$1,479.00
b.	Outside City Limits:	
	WDC	\$7,025.00
	WRF	\$2,218.00

Individually metered Multi-Family Premise connections shall pay the applicable WDC and WRF in Section VIII.A.3. multiplied by the number of dwelling units, while Master Metered Multi-Family Premise connections shall pay the WDC and WRF per meter under Section VIII.A.2.

4. For Nonpotable Water Connection Based on Meter Size:
- | | |
|------------------------|-------------|
| 2 inches 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 nonpotable 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 nonpotable WDC. No WRF is applied to nonpotable water connections.

Approval Date: November 23, 2021
 Effective Date: July 1, 2022
 Resolution No. _____



UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

Mixed-Use Premises shall pay the rate per water meter under Section VIII.A.2. when one water meter is requested. If more than one water meter is requested, the nonresidential use shall pay the rate per water meter under Section VIII.A.2. and the Multi-Family use shall pay the rate per water meter in Section VIII.A.3. multiplied by the number of dwelling units for individually metered connections provided the metering configuration is approved by Utilities.

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

a. Inside City Limits:	
WDC	\$4,072.00
WRF	\$2,957.00

b. Outside City Limits:	
WDC	\$6,108.00
WRF	\$4,436.00

Individually metered Multi-Family Premise connections shall pay the applicable WDC and WRF in Section VIII.A.3. multiplied by the number of dwelling units, while Master Metered Multi-Family Premise connections shall pay the WDC and WRF per meter under Section VIII.A.2.

4. For Nonpotable Water Connection Based on Meter Size:	
2 inches 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 nonpotable 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 nonpotable WDC. No WRF is applied to nonpotable water connections.

Approval Date: November 23, 2021
Effective Date: July 1, 2023
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

5. Additional WDC and WRF Due

An additional WDC and WRF 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 WDC and WRF, or
- c. 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.

The additional WDC and WRF 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 proposed meter. Payment for the additional WDC and WRF charge will be collected prior to issuance of a building or nonpotable permit or as provided in Section VIII.A.11. 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 change in use does not result in an increase in meter size, no additional WDC and WRF is due.

6. Non-waiver of the WDC and WRF

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

7. WDC and WRF 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 and WRF.

Approval Date: November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

A nonprofit entity may submit an application to Utilities for WDC and WRF deferral for the purposes of a Community Garden. The WDC and WRF 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 nonprofit use. Upon a change of use from a Community Garden, if the Premise requires a permanent water service connection, the WDC and WRF shall be due in accordance with the then current Tariffs for a new connection.

8. Credit for Prior WDC and WRF Payment

Credit for the WDC and WRF paid for a prior development may be given for reuse of existing connections or for new connections to a land parcel where all connection fees and charges were paid in full at issuance of the building permit. Credit is determined based on the then current WDC and WRF for the existing meter size. Credit for Multi-Family Residential dwelling units and nonresidential 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 and WRF 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 and WRF is expressly prohibited. Credit for a WDC and WRF 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:

- a. There must be common ownership of the donor Premises and recipient Premises; the party requesting the transfer of credit for the WDC and WRF 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;
- b. Both the donor Premises and the recipient Premises must be Nonresidential, Multi-Family or Mixed Use;
- c. The donor Premises must be a vacant parcel without structure(s);
- d. The recipient Premises must meet and comply with all then current infill descriptions and/or criteria established by City of Colorado Springs;

Approval Date: November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

- e. 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 and WRF credit;
- f. If the donor Premises will be left without any remaining WDC and WRF credits, the Owner shall remove the water service line to the donor Premises in accordance with City Code and Utilities' *Line Extension and Service Standards* for Water;
- g. All service line ordinances, regulations, and policies shall apply to transferred WDC and WRF credit and any applicable charges and/or fees shall be paid; and
- h. 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 and WRF, 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.

9. Request for WDC and WRF Refund

Requests for a refund of the WDC and WRF for connections not constructed must be made in writing to Utilities within two years of payment of the WDC and WRF. No refunds of any such charges will be made unless a request is received by Utilities within two years of payment and no service has been connected.

10. 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, 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.

Approval Date: November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

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

Payment for a new connection or increased service level as provided in Section VIII.A.5.:

- a. Shall be due in full in cash or check prior to the issuance of a building permit, or
- b. 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 five percent 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.

12. 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 nonresidential 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-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-year U.S. Treasury Note rate (Interest Rate).

13. WDC Deferral for Affordable Housing

The Affordable Housing Program for WDC deferral is based on the targeted income level for the affordable housing project. Effective January 1, 2022, no new deferrals through the Affordable Housing Program for WDC will be granted. Deferrals granted prior to January 1, 2022 remain subject to the terms and conditions herein.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

11. Timing of Payment of the WDC, WRF, and related Connection Charges

Payment for a new connection or increased service level as provided in Section VIII.A.5.:

- a. Shall be due in full in cash or check prior to the issuance of a building permit, or
- b. The WDC and WRF may be deferred until the time prior to the installation of a meter to serve a Premise. The deferred WDC, WRF, Recovery Agreement Charges or any other fees – shall be paid at the then current rates plus an additional charge equal to a five percent 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.

12. WDC and WRF 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 and WRF.

If the commercial or nonresidential 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 and WRF on a five-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 and WRF not paid will be calculated in accordance with the published ten-year U.S. Treasury Note rate (Interest Rate).

13. WDC Deferral for Affordable Housing

The Affordable Housing Program for WDC deferral is based on the targeted income level for the affordable housing project. Effective January 1, 2022, no new deferrals through the Affordable Housing Program for WDC will be granted. Deferrals granted prior to January 1, 2022, remain subject to the terms and conditions herein.

Approval Date: November 23, 2021
Effective Date: July 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

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

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

Affordable Housing projects target individuals whose income is equal to or less than 80% of the area median income.

Deferral of the WDC is on a first come, first-served basis and will not, in aggregate, exceed five percent 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.

The amounts to be repaid under the Affordable Housing Program will be based on the WDC 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.

- Zero percent of total WDC is due at time of application for utilities.
- 100% of total WDC plus any applicable interest is due at first subsequent sale of property or beginning in the sixth year after deferral (or at any time prior to that date at Owner's option) and for four years thereafter. Repayment of the 100% of WDC deferral is collected annually as follows:

6th year – 20%

7th year – 20%

8th year – 20%

9th year – 20%

10th year – 20% Final Payment

Approval Date: November 23, 2021

Effective Date: January 1, 2022

Resolution No. _____

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 that 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.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

In that circumstance, the property Owner or developer may recover the cost of capacity associated with the oversizing requirement. Pipe capacity will be based on the capacity required to serve the proposed development as calculated by Utilities for the smaller water main diameter (12-inch minimum diameter, or greater as determined by Utilities to serve the proposed development) and the larger diameter (oversized pipe) required by Utilities. Indirect costs incurred by the property Owner or developer, including but not limited to, easement acquisition and access road costs, are not reimbursable.

Utilities may agree in a Recovery Agreement with such property Owner or developer to collect the oversize capacity cost allocation from benefiting future developments (i.e., an “Oversize Recovery”). Considering the potential magnitude of an Oversize Recovery as compared to a standard main extension Recovery Agreement it is reasonable to structure Oversize Recoveries in a different fashion. For Oversize Recoveries only, recovery charges will be collected at the time of connection of a branch main to the oversized pipe. Utilities will collect Oversize Recovery charges based on capacity of the branch main. There is no limit on the total time period for an Oversize Recovery. Escalation of Oversize Recovery charges follow the process as provided within Section VIII.C., Water Recovery Agreement Charge, of these Rules and Regulations.

a. Oversize Main Extension Fund

Subject to funding availability and program rules as developed by Utilities, Utilities’ Oversize Main Extension Fund is available to assist in the financing of qualifying large, 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 projects. Utilities may award partial funding based on funding availability and or project ranking. Facilities eligible for

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

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.

ii. Administration

- a. The property Owner or developer served by the qualifying facility is responsible for engineering, construction, materials, and installation of oversized mains. All applicable rules and regulations and Water Line Extension and Service Standards apply.
- b. As established by program rules, cost documentation will be reviewed by Utilities. 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 as progress payments, no more often than monthly, as Utilities in its sole discretion determines construction progress. Payments from the fund reduce the fund balance.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

- 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 be responsible for paying an amount estimated to be twenty-five percent of the Property Owner's or Developer's Share for the construction of the facilities before Utilities' makes any progress payment from the Fund. 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 exceeds the funding limit, the property Owner or developer will be required to fund the balance of cost.
- 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 collected at the time of connection of the branch main to the oversize pipe. 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.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

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.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

not limited to failure to obtain a Water Service Permit, including a Temporary Water Service Permit for Fire Hydrant Use, and to obtain applicable inspections, may result in fines. See Section I.B. Fee Table.

- b. All costs to remove non-complying construction or to otherwise remedy such non-compliance may be assessed as provided in the Utilities' *Line Extension and Service Standards* for Water.

6. Prohibited Construction

- a. Only Utilities may tap into a Utilities-owned and maintained Water Distribution Main.
- b. Only Utilities may install taps for Service Lines larger than two inches in diameter.

7. Pipe Cuts

Utilities performed pipe cuts are available on a Time and Material basis.

8. Hydrant Laterals

As specified in the Utilities' *Line Extension and Service Standards* for Water, taps are not permitted on hydrant laterals of the Water System.

G. Utilities' Liability – Water

Utilities is not liable for failure to maintain water pressures sufficient for any proposed use of water. This section is in addition to, and does not limit, Utilities Rules and Regulations – General.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

H. Backflow Test Entry Fee

Backflow prevention assemblies prevent water from flowing back into Utilities' water distribution system and are owned and operated by Owner, as defined in these Utilities Rules and Regulations, and/or User, as defined in the City Code. The Colorado Department of Public Health and Environment establishes the backflow prevention requirements applicable to Utilities and Utilities' Customers which are codified in Colorado Springs City Code. Utilities tracks the number of backflow prevention assemblies associated with Utilities' water distribution system and the annual testing results of those backflow prevention assemblies to ensure compliance with requirements. The Customer is responsible for hiring a backflow tester to perform annual compliance test and enter confidential results into Utilities' system. The Backflow Test Entry Fee will be assessed to Customers or authorized testers when requested that Utilities perform that test entry.

I. Applicability of City Code – Water

Water service outside City limits and outside the Exclusive Water Service Territory defined in these Tariffs is subject to the requirements of the City Code (including without limitation Part 2 of Article 6 of Chapter 7 pertaining to Annexations) as the City Code is now in effect and as it may be amended from time-to-time hereafter by City Council.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

J. Exclusive Water Service Territory

In addition to all areas within the municipal limits of the City of Colorado Springs, the following areas have been designated as being within Utilities Exclusive Water Service Territory:

- (1) The Fort Carson cantonment area: That portion of Township 15 South, Range 66 West and of Section 36, Township 15 South, Range 67 West, of the 6th P.M., El Paso County, Colorado more particularly described as follows:

BEGINNING at the Northwest corner of Section 10, Township 15 South, Range 66 West; thence southeasterly on the easterly line of Tract No. 1 as described in Decree on Declaration of Taking, recorded in Book 985 at Page 346 of the records of said county about 4480 feet to the northerly line of Parcel No. A-1-A as described in Decree on Declaration of Taking No. 2, recorded in Book 985 at Page 405 of said records; thence easterly on said northerly line about 990 feet to the westerly right-of-way line of Interstate Highway 25; thence southerly on said westerly right-of-way line about 0.5 mile to the West line of the East half of the Northeast quarter of the Northeast quarter of Section 15, Township 15 South, Range 66 West; thence southerly on said West line about 600 feet; thence easterly on the South line of said East half of the Northeast quarter of the Northeast quarter of Section 15 about 485 feet to said westerly right-of-way line of Interstate Highway 25; thence southerly on said westerly right-of-way line about 4.4 miles to the South line of Section 36, Township 15 South, Range 66 West; thence westerly on the South lines of Sections 36, 35, 34, 33, 32 and 31, Township 15 South, Range 66 West and on the South line of Section 36, Township 15 South, Range 67 West about 6.1 miles to the easterly right-of-way line of Colorado State Highway 115; thence northerly on said easterly right-of-way line about 5.6 miles to the North line of Section 9, Township 15 South, Range 66 West; thence easterly on the North lines of Sections 9 and 10, Township 15 South, Range 66 West about 2.0 miles to the Point of Beginning.

- (2) The United States Air Force Academy: That portion of Township 12 South, Range 67 West and of Sections 6, 7, 18, 19, 20, 29, 30, 31, and 32, Township 12 South, Range 66 West and of Sections 5 and 6, Township 13 South, Range 66 West and of Section 1, Township 13 South, Range 67 West of the 6th P.M., El Paso County, Colorado more particularly described as follows:

BEGINNING at the Southwest corner of Section 5, Township 13 South, Range 66 West and with all bearings herein being relative to the Colorado coordinate system of 1927 central zone; thence N01°01'41"W on the West line of said section, 295.44 feet to a point on the northeasterly right-of-way line of the Atchison, Topeka and Santa Fe Railroad; thence S38°22'56"E on said northeasterly right-of-way line, 161.96 feet; thence N31°51'43"E, 751.80 feet; thence N55°05'43"E, 150.80 feet; thence N02°47'17"W, 543.00 feet; thence N01°16'00"E, 1216.51 feet; thence N50°50'42"E, 4249.41 feet to the Southeast corner of the West half of the East half of

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont’d

K. Water Regional System Availability Fee

A Water Regional System Availability Fee (WRSFAF) is assessed for each new connection to Utilities’ supply system by contract outside the corporate limits of the City in areas where Utilities’ water system is available for use by Utilities to serve institutions, plants, organized water districts, municipal corporations, or other similar organizations and only with prior approval by the City Council. Customer can elect to pay the WRSFAF in full at the time of connection or make an annual payment for a period not to exceed 25 years. Interest will be charged on the outstanding balance during such repayment period based on the Interest Rate, compounded annually. A calculation will be made by Utilities at the time of connection such that the 25 annual payments are equal. Utilities may assess a deposit to ensure Customer’s payment of the WRSFAF at the time of connection pursuant to the contract in its sole discretion.

Any entity that paid a WRSFAF or an analogous charge through a contract in place prior to the implementation of this tariff is deemed to have met the obligation of this tariff and will not be charged an additional WRSFAF except as required by Section VIII.K.3.

1. Base WRSFAF based on meter size:

	<u>Total</u>	<u>Annual</u>
2 inch.....	\$1,258,047.00.....	\$71,145.00
3 inch.....	\$2,731,945.00.....	\$154,496.00
4 inch.....	\$5,036,310.00.....	\$284,812.00
6 inch.....	\$9,980,129.00.....	\$564,393.00
8 inch.....	\$19,191,421.00.....	\$1,085,307.00
10 inch.....	\$31,473,827.00.....	\$1,779,898.00
12 inch.....	\$46,827,341.00.....	\$2,648,165.00

2. WRSFAF Full Service Option - Annual Cost of Water

Customers contracting for the Full Service Option will also pay an annual fee of \$1,760 per acre foot of water based upon the maximum number of acre feet that can be delivered to a Customer in any contract year under each individual Full Service contract.

Approval Date: November 23, 2021
 Effective Date: January 1, 2022
 Resolution No. _____

UTILITIES RULES AND REGULATIONS

WATER

Water – cont'd

3. Additional WRSF Due

An additional WRSF 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 WRSF. The additional WRSF 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 WRSF is due.

4. Non-waiver of the WRSF

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

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____



UTILITIES RULES AND REGULATIONS
WASTEWATER

Wastewater – cont’d

All costs to remove non-complying construction or to otherwise remedy such non-compliance may be assessed as provided in the Utilities’ *Line Extension and Service Standards* for Wastewater.

B. Wastewater Development Charge (WWDC)

A WWDC is assessed for each new connection to Utilities’ wastewater treatment system except for those Customers receiving service under the Contract Service – Regional Rate Schedule addressed in Section IX.H. below. The charge is based on type of building, facility or unusual wastewater characteristics of the new connection and assists the ratepayer by partially defraying the costs of capital improvements of the system. The applicable WWDC is shown below.

1. For each Single Family Residential connection – with a ¾ inch water meter.

Inside City Limits

Wastewater Service Area.....\$1,868.00

Outside City Limits

Wastewater Service Area.....\$2,802.00

2. For each Multi-Family Premise connection for each dwelling unit within a Multi-Family Residential Premise with individual ¾ inch water meters.

Inside City Limits

Wastewater Service Area.....\$1,213.00

Outside City Limits

Wastewater Service Area\$1,820.00

Individually metered Multi-Family Premise connections shall pay the rate in Section IX.B.2. multiplied by the number of dwelling units, while Master Meter Multi-Family Premise connections shall pay the WWDC per meter size in Section IX.B.3.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

WASTEWATER

Wastewater – cont'd

10. 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-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 10-year U.S. Treasury Note rate (Interest Rate).

11. WWDC Deferral for Affordable Housing

The Affordable Housing Program for WWDC deferral is based on the targeted income level for the affordable housing project. Effective January 1, 2022, no new deferrals through the Affordable Housing Program for WWDC will be granted. Deferrals granted prior to January 1, 2022, remain subject to the terms and conditions herein.

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

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

Affordable Housing projects target individuals whose income is equal to or less than 80% of the area median income.

Deferral of the WWDC is on a first-come, first-served basis and will not, in aggregate, exceed five percent 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.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

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 that 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. Pipe capacity will be based on the capacity required to serve the proposed development as calculated by Utilities for the smaller wastewater main diameter (12-inch minimum diameter, or greater as determined by Utilities to serve the proposed development) and the larger diameter (oversized pipe) required by Utilities. Indirect costs incurred by the property Owner or developer, including but not limited to, easement acquisition and access road costs, are not reimbursable.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS

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 developments (i.e., an “Oversize Recovery”). Considering the potential magnitude of an Oversize Recovery as compared to a standard main extension Recovery Agreement it is reasonable to structure Oversize Recoveries in a different fashion. For Oversize Recoveries only, recovery charges will be collected at the time of connection of a branch main to the oversized pipe. Utilities will collect Oversize Recovery charges based on capacity of the branch main. There is no limit on the total time period for an Oversize Recovery. Escalation of Oversize Recovery charges follow the process as provided within Section IX.D., Wastewater Recovery Agreement Charge, of these Rules and Regulations.

a. Oversize Main Extension Fund

Subject to funding availability and program rules as developed by Utilities, Utilities’ Oversize Main Extension Fund is available to assist in the financing of qualifying large, 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.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____

UTILITIES RULES AND REGULATIONS
WASTEWATER

Wastewater – cont’d

H. Wastewater Regional System Availability Fee (WWRSAF)

A WWRSAF is assessed for each new connection to Utilities’ wastewater collection system by contract outside the corporate limits of the City in areas where Utilities’ wastewater collection system is available for use to serve institutions, plants, organized sewer districts, municipal corporations, or other similar organizations and only with prior approval by the City Council. Customer shall pay the WWRSAF in full at the time of connection.

Any entity that paid a WWRSAF or an analogous charge through a contract in place prior to the implementation of this tariff is deemed to have met the obligation of this tariff and will not be charged an additional WWRSAF except as required by Section IX.H.2.

1. WWRSAF based on average flow capacity in MGD:

	<u>Total</u>
Less than 0.10 MGD	\$7,162.00
Between 0.10 and 0.29 MGD	\$28,216.00
Between 0.30 and 0.59 MGD	\$64,390.00
Between 0.60 and 0.74 MGD	\$96,947.00
Between 0.75 and 0.99 MGD	\$125,886.00
Between 1.00 and 1.49 MGD	\$180,148.00
Between 1.50 and 1.99 MGD	\$252,496.00
Between 2.00 and 2.49 MGD	\$324,844.00
Between 2.50 and 2.99 MGD	\$397,193.00
3.00 MGD or greater	\$434,091.00

2. Additional WWRSAF Due

An additional WWRSAF charge is applicable to:

- a. any increase in MGD outside the current range, or
- b. any increased collection that results in damage to Utilities’ facilities or exceeds the capacity of the meter.

Approval Date: November 23, 2021
 Effective Date: January 1, 2022
 Resolution No. _____

UTILITIES RULES AND REGULATIONS

WASTEWATER

Wastewater – cont'd

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

- c. at the time the increased collection begins in relation to Section IX.H.2.a.;
and
- d. in accordance with Utilities' billing requirements in relation to Section IX.H.2.b.

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 tariffs. If the change in use does not result in an MGD range greater than the current MGD range, no additional WWRSF will be due.

3. Non-waiver of the WWRSF

The applicable WWRSF will not be waived for any entity requesting connection to Utilities' wastewater collection system.

Approval Date: November 23, 2021
Effective Date: January 1, 2022
Resolution No. _____