

TERMS AND CONDITIONS

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The following Terms and Conditions made by the Bar Harbor Water Division and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the Water Division. The Customer agrees to adhere to these Terms and Conditions and to take water at the approved rates only for purposes stated in the application and at the established rates. Any failure to comply with these Terms and Conditions or requirements referenced herein, may be cause for refusal or discontinuance of service.

The Bar Harbor Water Division is further governed by the regulations of the Maine Public Utilities Commission, and by "Rules Related to Drinking Water" administered by the Maine Dept. of Health and Human Services, Division of Health Engineering, Drinking Water Program.

1. DEFINITIONS

The word "Commission" refers to the Maine Public Utilities Commission.

The words "Utility" or "Water Division" refers to the Bar Harbor Water Division.

The word "Customer" means any person, firm, corporation or governmental division who has applied for and is granted service or who is responsible for payment of the service.

The word "Main" means a water pipe, owned, operated and maintained by the Water Division, which is used to transmit or distribute water but is not a water Service Line.

The terms "Service Pipe" and "Service Line" means the pipe running from the main to the premises of the Customer.

The term "Curb Stop" means the shutoff valve located nearest the main which is owned, operated, and maintained by the Water Division and used to shutoff water to a service line.

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2. APPLICATION FOR SERVICE

Pursuant to Chapter 620 of the Commission's Rules and Regulations and the Water Division's Application for Service Policy, the owner or the owner's agent, or the occupant of the establishment to be served may apply for service on forms provided by the Water Division.

Any tenant may become a Customer either

- at the tenant's or landlord's request provided the individual unit to be served is equipped with a separate shut-off valve in a location acceptable to the Water Division, or
- if the tenant assumes responsibility for future service under the conditions set forth in Title 35-A MRSA §706(2), Chapter 660 of the Commission's Rules and Regulations, and under Section 13, entitled "*Disconnection Of Leased Or Rented Property*".

If a seasonal rental property, only the property owner may be an applicant for service.

If a new service connection or other work on the establishment is required, the owner must authorize the Water Division to enter the premises to do the necessary work.

3. SEASONAL CUSTOMER

A seasonal Customer regularly takes service for only a portion of the year from either a summer or year-round main. A seasonal Customer will be subject to the rules and charges of seasonal rates in effect. A Customer regularly vacating the premises for less than three months will be classified as an annual Customer subject to annual rules and charges.

4. BILLING PROCEDURES

Minimum meter charges for annual metered service shall be billed quarterly in advance. Water used in excess of the minimum shall be billed quarterly in arrears.

Seasonal minimum meter charges shall be billed immediately after the meter is set for the season. Bills for water used in excess of the minimum shall be billed immediately after the final reading for the season. The Water Division reserves the right to render bills quarterly for excess water used by seasonal Customers.

The Water Division reserves the right to render bills monthly for all metered customers if it so desires.

Public and private fire protection charges will be billed in advance each year on an annual basis. The Water Division reserves the right to bill fire protection on a monthly, quarterly or semiannual basis.

Bulk water sales from hydrants will be billed monthly at the same rates as metered customers.

Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of its payment nor for the consequences of non-payment.

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5. **CREDIT AND COLLECTION PROCEDURES**

All credit and collection procedures for both residential and nonresidential Customers will be based upon Chapter 660 and Chapter 870 of the Commission's Rules and Regulations. The Water Division may demand a deposit from a Customer as permitted by Chapter 660. Pursuant to Chapter 870, the interest rate on Customer deposits shall be the rate set from time to time by the Commission.

6. **TERMS OF PAYMENT**

Customers are legally obligated to pay for the services they receive. Bills are payable upon being issued. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of payment for services received nor for the consequences of non-payment. The due date for payment, in order to avoid the incurrence of late fees or the initiation of collection action will be no less than 25 days after the bill is mailed or hand delivered. The late payment charge for overdue bills will be no more than the maximum amount allowed under Chapter 870 of the Commission's Rules and Regulations, to be determined annually.

Payments may be paid by any Water Division approved payment method, including but not limited to by mail, in person, credit card or debit card and must be received at the office of the Water Division or at any designated collection station. The Water Division, or a vendor acting on its behalf, may charge the Customer a fee for processing the payment, provided that the fee is disclosed to the Customer prior to the transaction. On any transaction processed directly through the Water Division Office, the charge is equivalent to that charged to the Water Division. On transactions processed by a vendor, the fee is set by the vendor and will not exceed **\$7.00**.

Electronic payments will not be processed by field personnel.

7. **CHARGE FOR RETURNED CHECKS**

As provided in Chapter 870 of the Commission's Rules and Regulations, the Water Division may charge the greater of **\$5.00** per account to which the check is applied or the amount the bank charges the Water Division, not to exceed **\$15.00** for each check returned by a bank. If the Water Division charges more than **\$5.00**, the Customer shall be furnished with proof of the bank charge.

8. **CHARGES FOR ESTABLISHMENT OF SERVICE**

The Water Division will charge an application for service fee of **\$20.00** to establish water service for new Customers during the normal business hours of 7:30 a.m. to 3:30 p.m., Monday through Friday. During holidays and other than normal business hours, the charge will be **\$90.00**.

If a new service connection is required, the Customer will be responsible for any charges related to the new service installation, as outlined in Section 27, entitled "*Main Extensions And New Service Lines*", in addition to the application for service fee.

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9. COLLECTION TRIP FEE

If Water Division personnel visit the Customer's premises to disconnect service for non-payment, and in lieu of actual disconnection the Customer pays or makes a payment arrangement for the entire past due balance, the Water Division will charge a collection fee of **\$25.00**, as permitted in Chapter 660 of the Commission's Rules and Regulations.

10. CHARGES FOR RESTORATION OF SERVICE

The Water Division will charge a Customer a restoration fee for the restoration of service at the Customer's premises, if service was disconnected for any reason allowable under Chapter 660 of the Commission's Rules and Regulations and/or under these Terms and Conditions, excluding at the Customer's request. Service personnel will not enter the premises nor restore water service to the premises unless accompanied by the Customer or an adult representative of the Customer. The charge will be **\$45.00** during the normal business hours of 7:30 a.m. to 3:30 p.m. Monday through Friday. During holidays and other than normal business hours, the charge will be **\$115.00**.

11. CHARGES FOR CUSTOMER REQUESTED DISCONNECTION OF SERVICE

The Water Division will charge a Customer a disconnection fee for the disconnection of service at the Customer's premises if service was disconnected at the Customer's request and not as a result of a transfer of service. The Water Division will waive the disconnect fee providing the disconnection is done during normal business hours, the disconnection was done as the result of an emergency (e.g.: broken water pipe), and that reconnection is made within 5 business days of the disconnection date. Service personnel will not enter the premises to disconnect water service to the premises unless accompanied by the Customer or an adult representative of the Customer. The Water Division assumes no responsibility if, during the disconnection of service, entry is not provided to confirm cessation of water service. The charge will be **\$20.00** during the normal business hours of 7:30 a.m. to 3:30 p.m. Monday through Friday. During holidays and other than normal business hours, the charge will be **\$85.00**.

To avoid the disconnection fee Customers may elect to have the service disconnected and the water meter removed by a Water Division approved licensed plumber. Customers are responsible for notifying the Water Division within 5 business days that the service has been disconnected. The Customer is also responsible for assuring that the water meter is brought into the Water Division Office within 5 business days of the service being disconnected. Customers whose water meters are not brought into the Water Division Office within 5 business days may be assessed a **\$10.00** administrative fee for tracking and locating the water meter.

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12. CHARGES FOR CUSTOMER REQUESTED RECONNECTION OF SERVICE

The Water Division will charge a Customer a reconnection fee for the reconnection of service at the Customer's premises if service was disconnected at the Customer's request and not as a result of a transfer of service. The Water Division will waive the reconnection fee providing the reconnection is done during normal business hours, the previous disconnection was done as the result of an emergency (e.g.: broken water pipe), and that reconnection is made within 5 business days of the disconnection date. Service personnel will not enter the premises nor restore water service to the premises unless accompanied by the Customer or an adult representative of the Customer. The charge will be **\$20.00** during the normal business hours of 7:30 a.m. to 3:30 p.m. Monday through Friday. During holidays and other than normal business hours, the charge will be **\$85.00**.

To avoid the reconnection fee Customers may elect to have the service reconnected and the water meter installed by a Water Division approved licensed plumber. Customers electing to have plumbers reconnect the service and install the water meter are responsible for the correct installation of the water meter. Customers that elect to have plumbers install the water meter and whose meters are incorrectly installed will be charged the reconnection fee for the Water Division to visit the premises to correct the water meter installation.

13. DISCONNECTION OF LEASED OR RENTED PROPERTY

Before disconnecting a leased or rented residential property, the Water Division shall comply with the notice requirements contained in Chapter 660 of the Commission's Rules and Regulations, and must offer the tenant the right to take responsibility for future payments. Additionally, before disconnecting a leased or rented single-meter, multi-unit residential property, the Water Division shall

- apply any existing deposit to the current account balance, and
- assess, against the landlord, a collection fee of **\$70.00** in addition to any applicable reconnection fee set forth in Section 10, entitled "*Charges For Restoration Of Service*".

At its discretion, the Water Division may separately meter or cause to be separately metered, at the landlord's expense, each dwelling unit within the property.

14. SERVICE INTERRUPTION

As specified in Chapter 660 of the Commission's Rules and Regulations, the Water Division will provide reasonable notice of any planned service interruptions to affected Customers. If the interruption is expected to last more than 5 hours or to affect more than 10 Customers or a single commercial Customer on a dedicated line, notice will be given at least 24 hours in advance of the interruption of service. The Water Division will notify the Customers when practicable of the cause and duration of any unplanned shut-off. Pursuant to Chapter 620, if a Customer requests, the Water Division will make a pro rata reduction in the Customer's minimum bill if service is interrupted for longer than 48 hours and the interruption is not due to negligence or improper care of equipment by the Customer.

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15. UNAUTHORIZED USE OF WATER

No Customer or his agent shall

- supply water to another nor use it for any purposes not mentioned in his/her application without Water Division approval, or
- obtain water from any hydrant or other fixture of the Water Division without the previous consent of the Water Division, or
- bypass any meter, nor restore service without Water Division authorization, nor unreasonably interfere with Water Division service nor otherwise take action to prevent the proper metering of water consumed by the Customer.

In the event of the discovery of such unauthorized use of water, the Customer shall be immediately disconnected, pursuant to Chapter 660. In addition, the Water Division shall be entitled to bill and recover from the Customer or responsible person the cost of the estimated amount of water consumed, based on the Water Division's approved rates, plus interest at an annual rate of 5%. Where the unauthorized use of water has occurred, the Water Division may also assess the Customer or responsible person a fee of **\$25.00** per hour, with a minimum of one hour, for each service visit to the Customer's premises necessary to investigate and address the unauthorized use of water, including removing the meter bypass, taking measures to prevent further diversion of water, and verifying that corrective measures have been taken and maintained. For service visits that occur during other than normal business hours, the fee will be **\$37.00** per hour with a minimum 2 hour charge. In no case shall the total of such hourly fees exceed **\$100.00**. In addition, pursuant to Title 35-A MRSA §2706 as amended or replaced, the Customer or person responsible for the unauthorized use may be liable in a civil action to the Water Division for all other reasonable costs to the Water Division, including attorney's fees, costs of undertaking and completing the investigation resulting in the determination of liability, and for a civil penalty not to exceed **\$2,500.00**, due and payable to the Water Division for each violation.

16. NO TAMPERING WITH UTILITY PROPERTY

No person may tamper with Water Division property. No valve, valve sealing mechanism, meter, shutoff, hydrant or standpipe that is the property of the Water Division shall be opened or closed or otherwise operated, modified, or removed by other than persons authorized by the Water Division. Tampering will subject a Customer or other responsible party to the same charges and actions outlined in Section 15, entitled "*Unauthorized Use Of Water*". In addition, in the event of such tampering, the responsible party may be subject to a civil action, pursuant to Title 35-A MRSA §2707, as amended or replaced.

17. MAINTENANCE OF PLUMBING

Pursuant to Chapter 620 of the Commission's Rules and Regulations, a Customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing or from heat damage. If damage does occur, the Customer is liable for any expenses incurred. A leak or break that is considered a threat to the Water Division's delivery system will be cause for immediate disconnection of the Customer. If a leak is discovered that is not considered an imminent threat to the system, but may be a long term or cumulative danger, the Customer will be notified in writing by the Water Division and will be given 30 days to repair the leak. If the repair is not completed by that time, the Customer will be subject to a 14 disconnection notice, pursuant to Chapter 660.

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18. ACCESS TO PREMISES

Pursuant to Chapter 620 of the Commission's Rules and Regulations, as a condition of service, Customers shall provide access for Water Division employees with proper identification to all premises supplied with water, at all reasonable hours, to

- permit the inspection of plumbing and fixtures
- set, remove or read meters
- ascertain the amount of water used and manner of use
- enforce these Terms and Conditions

19. LIABILITY

The Water Division will only be liable for any damages arising from claims to the extent liability is expressly provided in the Maine Tort Claims Act, as set forth in Title 14 MRSA, Chapter 741. The Water Division will not be responsible for any damages caused by discolored water, and makes no representations or warranties, expressed or implied, about the suitability of any water provided by the Water Division for any particular purpose.

20. CROSS CONNECTIONS

Pursuant to Chapter 620 of the Commission's Rules and Regulations,

- no cross connection between the public water supply system and any other supply will be allowed unless properly protected, based upon the Maine Cross Connection Control Rules, the Maine Internal Plumbing Code, and the Water Division's Cross Connection Control Program
- no new cross connection may be installed without the express, written approval of the Water Division
- no connection will be permitted capable of causing back flow, including back siphonage or back pressure, between the public water supply system and any plumbing fixture, device or appliance, or between any waste outlet or pipe having direct connection to waste drains

If the owner of such a connection fails or refuses to discontinue the service or properly protect the connection within a time limit specified by the Water Division, the Water Division may disconnect the service according to Chapter 660 of the Commission's Rules and Regulations. The Water Division's Cross Connection Control Program is on file at the Water Division office.

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21. BACKFLOW-PREVENTION DEVICE TESTING

Customers with testable backflow devices are responsible for completing device testing according to the Water Division schedule, available in the Water Division office. The Customer must select a certified professional to comply with this requirement, and will pay the charges for the testing and for any necessary repairs directly to the contractor. Upon completion, the Customer must send the Water Division a copy of each signed certified test. In the event that a Customer does not comply with the testing requirement or does not make repairs necessary to maintain full functionality of the device, the water service will be disconnected as a dangerous condition, pursuant to the Water Division's Cross Connection Control Program and to Chapter 660 of the Commission's Rules and Regulations.

22. STOP VALVE

Pursuant to Chapter 620 of the Commission's Rules and Regulations, every service must be provided with a minimum of one operable stop valve located inside the building near the service entrance, easily accessible, and protected from freezing. All plumbing must be installed to comply with applicable plumbing codes, to prevent back-siphonage and to permit draining whenever necessary.

23. SYSTEM WATER PRESSURE

a. Fluctuation of Pressures by Customer's Apparatus

Pursuant to Chapter 620 of the Commission's Rules and Regulations, as a condition of service, Customers may not install or use any device that will affect the Water Division's pressure or water quality without prior written permission from the Water Division.

b. Safeguarding Direct Pressure Water Devices and Systems Supplied By Automatic Feed Valves

In the event of a loss of system water pressure, pursuant to Chapter 620 of the Commission's Rules and Regulations, as a condition of service, Customers must install vacuum, temperature and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve.

c. Low Pressure Areas

Pursuant to Chapter 620 of the Commission's Rules and Regulations a limited service contract between the Customer and the Water Division shall be required in service areas where substantially uniform water system pressure at the connection of the water service to the main may be expected to fall below 20 psi., except for periods of fire flow or system maintenance.

24. JOINT USE OF SERVICE PIPE TRENCH

Pursuant to Chapter 620 of the Commission's Rules and Regulations, water service pipes will not normally be placed in the same trench with other utility's facilities. Where possible, a horizontal separation of ten feet will be provided. Where extenuating, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed if all parties agree, provided that the installation complies with all applicable laws, rules and regulations.

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25. WATER CONSERVATION

Pursuant to Chapter 620 of the Commission's Rules and Regulations, when necessary to conserve the water supply or in the event of an emergency, the Water Division may restrict or prohibit waste or improper usage for all Customers, including but not limited to, the use of hoses and lawn sprinklers. Under these conditions, the Water Division will decide what constitutes waste and improper usage to protect the health and safety of the water system.

26. METERING POLICY

a. General

All locations receiving water will be equipped with a meter, and will be billed based on metered use per approved rates. The Water Division must receive the completed Application for Service and the Application for Service Fee prior to water meter installation and/or initial service activation.

Use of water is confined to the premises named in the service application. No Customer shall supply water to another, nor use it for purposes not mentioned in his/her application without prior Water Division approval. No unmetered connections are allowed before the water meter.

The Water Division will select the type of meter and automated reading device. The Water Division will also determine the size of the meter, which shall be reasonable in view of the nature of the water service provided. The Customer may request an audit of his/her usage to determine if a larger or smaller meter would be beneficial but the final determination will be made by the Water Division.

Once removed from service, water meters will be held until one post-removal bill is issued then the meter will be rebuilt or discarded.

Submetering is allowed after the Water Division's meter and the backflow preventer. Meters measuring subdivision of water use must be furnished, installed, read, and maintained at the customer's own expense.

b. Separate Metering of Buildings

A second building served by a water line through another building prior to January 1, 2012 may continue in this manner as long as both buildings are on the same lot and under the same ownership. If the second building is sold, replaced, extensively remodeled, or the property is sub-divided, a new service line from the water main direct to the second building with a separate meter and curb stop will be installed per Water Division's specifications at the Customer's expense. No new water service shall be branched from an existing service.

At its discretion, the Water Division reserves the right to require separate piping, meter and shut-off for each building as a condition of service.

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c. Metering of Multi-Unit Premises

Except as provided in Chapter 660 of the Commission's Rules and Regulations, where there is more than one occupant of a building supplied with water, the accounts in the multi-unit premises must remain the responsibility of one Customer unless the plumbing is arranged to permit separate connections with shutoffs and meters in locations acceptable to the Water Division for each place of business or abode.

d. Installation

i. Meter placement

Meters may not be placed in crawl spaces, underneath mobile homes, or in other inaccessible areas such that the service worker does not have adequate work space. Water spillage occurs during meter servicing; water sensitive items should be placed away from the work area.

Meters must be located

- within the first two feet of point of entry into the building as measured along the water pipe
- before any branches or taps
- not less than 12 inches and not more than 36 inches from the floor
- not less than six inches from the rear wall
- not less than 36 inches of working space in front of the meter
- not less than 12 inches from side walls
- not less than 36 inch clearance from shelves, ceilings, or other obstructions

Customers will be required to remove walls, boxes, or other items to provide adequate space for the service worker and meter equipment.

Domestic water meters will not be allowed to be tapped from a fire service line unless

- both the fire service and the domestic water service have external shut-off valves located in the right-of-way
- an appropriate easement is provided to the Water Division, such that they may be shut off separately
- a blow-off is installed after the meter to allow flushing of the domestic line

If HDPE pipe is used, the customer must provide appropriate support both above and below the

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meter for the weight of the meter and backflow preventer, and must use compression-type fittings compatible with HDPE and conforming to Water Division material specifications.

If installed, pressure-reducing valves must be installed after the meter and located between the meter and the backflow.

ii. Meter Pits

As permitted in Chapter 620 of the Commission's Rules and Regulations, the Water Division reserves the right to require a meter pit at the Customer's expense under the following circumstances

- the Customer does not provide a clean, warm, dry and accessible or an otherwise suitable location for the meter and its appurtenances
- the service location makes the discovery of a leak unlikely
- the Customer's portion of the service pipe has been constructed of inferior materials or otherwise makes leaks or failure a likely occurrence

The Customer will select a Water Division approved contractor for the installation, excluding the meter, which will be provided and installed by the Water Division at no cost to the Customer. All work and materials must comply with the Water Division's approved standards and specifications, available in the Water Division office.

The Water Division reserves the right to inspect all materials and contractor work at no cost to the Customer, prior to connecting the meter, and may require work to be redone if the standards and specifications are not met.

e. Meter Testing

The Water Division will test or replace its water meters according to the schedule and standards in Chapter 620 of the Commission's Rules and Regulations. Upon Customer request, the Water Division will test the Customer's water meter at no charge in the presence of the Customer or an adult representative of the Customer, unless the Customer requests more than one test in an 18-month period. If the Customer requests a test more frequently, the Water Division will require the customer to pay a deposit equivalent to the appropriate charge listed below to cover the cost of the test. If a meter tested at the Customer's request does not conform to standards, the Customer's deposit will be refunded and the Water Division will adjust the Customer's bill according to the provisions of Chapter 620. If the meter conforms to standards, the Water Division will keep the Customer's deposit and may continue to use the meter at the Customer's premises.

Charge for testing meters sizes 5/8 inch through 1 inch at the Customer's request are on a flat rate basis. During the normal business hours of 7:30 a.m. to 3:30 p.m., Monday through Friday, the charge will be **\$45.00**. During holidays and outside normal business hours, the charge will be **\$125.00**.

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Meters larger than 1 inch in size are tested by an outside contractor. The charge for meters larger than 1 inch will be determined prior to meter removal. The total charge will be equivalent to the invoice of the meter test by the contractor plus the cost of shipping the meter. The work will be done as jobbing, as detailed in Section 28, entitled "Utility Jobbing" of these Terms and Conditions.

- f. Charges for Repair or Replacement of Damaged Water Meters and Other Utility Equipment
Pursuant to Chapter 620 of the Commission's Rules and Regulations, the Water Division will charge a Customer for costs incurred for the repair or replacement of meters or other Water Division equipment damaged due to Customer negligence or improper care. During the normal business hours of 7:30 a.m. to 3:30 p.m., Monday through Friday, the charge will be **\$25.00** per man-hour with a minimum charge of one hour per man; during holidays and outside normal business hours the charge will be **\$37.00** per man-hour with a minimum 2 hour charge per man. In all cases, the Customer will be charged for the cost of the necessary replacement parts, including the meter, and all tools and equipment required to complete the job.

27. MAIN EXTENSIONS AND NEW SERVICE LINES

- a. General
Service line and main extension locations will be reviewed and set by the Water Division. All work must be completed to applicable State and local requirements and to Water Division work standards and material specifications, which are available at the Water Division Office. Only Water Division approved materials may be used. The Water Division reserves the right to engineer or preapprove the plan.

Prior to the initiation of work, the Water Division will give a written estimate to the applicant, detailing the Water Division provided services and materials, and a deposit equal to 100% of the estimate will be collected. A final reconciliation of the job costs will be done upon completion, and if applicable, the Water Division will return any excess deposit within 30 days. If the actual cost exceeds the deposit, the applicant must pay the additional amount, as per the written agreement between the Water Division and the applicant. The Customer will be responsible for obtaining the Water Division's written approval for the installation prior to initiation of the work.

- b. Inspection
In order to manage and inspect the process, a Water Division representative will be present during the installation. The Water Division will inspect the materials and installation and must be notified before they are buried or enclosed. If at any time, the Water Division discovers work irregularities or a lack of adherence to the preapproved plan or the standards and specifications, the Water Division may stop the installation at the applicant's expense, and require the work to be redone.

During the normal business hours of 7:30 a.m. to 3:30 p.m., Monday through Friday, there will be no charge to the customer for inspections. Work performed during holidays and outside normal business hours requires prior Water Division approval and will be charged at a rate of **\$37.00** per man-hour with a minimum charge of 2 hours per man.

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c. New Service Lines

As permitted in 35-A MRSA §6106, each applicant for a new water service will be responsible for the costs of the entire service line, excluding the meter, which will be provided by the Water Division. Ownership and maintenance of the service line and the meter after installation will be governed by Chapter 620 of the Commission's Rules and Regulations.

Unless otherwise approved, each domestic water meter will have its own service and curb stop in accordance with the Water Division's construction specifications. Curb stops shall be located in the right-of-way, unless an appropriate easement is provided to the Water Division, and at least five feet from all obstacles including structures, walls, fences, steps, trees, and shrubs.

The Customer will be responsible for contracting with a Water Division approved contractor for the excavation and backfilling of the service line ditch from the main to the curb box and for the installation of the service from the curb stop into the building, excluding the meter, but including the backflow preventer, meter horn, and all valves. All contractor charges will be paid by the Customer directly to the contractor.

For service lines two inches and smaller in diameter, the Water Division will be responsible for installing the service line from the main to the curb stop, including tapping the main and piping across the road, if necessary.

For service lines larger than two inches in diameter, the Customer will be responsible for contracting with a Water Division approved contractor for installing the service line from the main to the curb stop, including tapping the main and piping across the road, if necessary.

For all services the Water Division will be responsible for installing the meter. Unless otherwise approved by the Water Division, all service installation work from the main to the curb stop will only be done during the regular business hours of 7:30 a.m. to 3:30 p.m., Monday through Friday. At its discretion, the Water Division may subcontract out any part of the installation.

The costs to the Customer for the above-described Water Division provided labor, materials, equipment rental and subcontractors will include

- a charge of **\$25.00** per man-hour for installing the service line from the main to the curb stop and for tapping the main
- the costs of Water Division provided equipment rental, materials
- the total costs, as billed to the Water Division, for subcontractors deemed necessary by the Water Division. This includes any and all costs for piping across the road as required, whether boring or opening the road, closing the road in compliance with State and local requirements, acquiring permits, flagging, and additional services, depending on the situation.

The meter will be provided and installed by the Water Division at no cost to the Customer.

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d. Extension of Mains

The Water Division has chosen not to invest in main extensions. All water main extensions shall be installed at the applicant's expense, as permitted in 35-A M.R.S.A. §6106. Procedures related to the application and installation, as well as ownership and maintenance of the main after installation, shall be in compliance with Chapter 650 of the Commission's Rules and Regulations. The applicant will be responsible for contracting with a Water Division approved contractor for the entire installation, and all costs shall be paid directly to the contractor.

e. Winter Construction

No new service or main extension will be installed for the convenience of a Customer during winter conditions that increases the cost of the work for the Water Division, unless the Customer assumes all extra expenses over ordinary construction costs.

28. UTILITY JOBBING

A Customer must complete a written application before the Water Division will provide unregulated utility service. Work outside of regulated services is performed

- at the Water Division's discretion
- solely at the Customer's expense including labor, overhead, equipment and materials

As permitted in Chapter 620 of the Commission's Rules and Regulations, a Customer must pay a deposit equal to the Water Division's written estimate. Unless the work is done on a flat rate basis, the Water Division will return any excess deposit upon completion. If the final cost exceeds the deposit, the Customer must pay the additional amount within 30 days of completion. Charges as allowed under Title 9A of the Maine Consumer Credit Code may be assessed on jobbing bills not paid within 30 days.

29. FIRE HYDRANTS

Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Water Division. In the event of fire extinguishment, the fire department will notify the Water Division of hydrant use within a reasonable time of declaring the fire under control to allow for proper maintenance. Fire hydrants must not be opened by any person other than an agent of the Water Division or a duly authorized representative of the municipality or the owner.

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30. PRIVATE FIRE PROTECTION

Customers requiring private fire protection must contact the Water Division to determine the availability of fire service at their location. If available, the fire service line will be installed at the Customer's expense within the bounds of the public way or right of way; after installation, the line will be owned and maintained in the public way or right of way by the Water Division, as specified in Chapter 640 of the Commission's Rules and Regulations. The Water Division does not guarantee any quantity of water or pressure available through a fire protection service.

The owner, as a condition of service, shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of the private system. A 3 business day notice must be given to the Water Division so a representative of the Water Division can be present to observe the test. At no time during the test shall the distribution system pressure drop below 20 psi. The owner may also be required to perform certain additional tests and maintenance on the system, as a condition of service, in order to be consistent with the health or safety standards of the Water Division and the water system.

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