

TERMS AND CONDITIONS

The following Terms and Conditions made by the Fort Kent Water & Wastewater Department and filed with the Maine Public Utilities Commission constitutes a contract between the customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

DEFINITIONS

The word "utility" refers to the Fort Kent Water Department.

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 utility, which is used to transmit or distribute water but is not a water service pipe.

The words "service pipe" mean the pipe running from the main to the premises of the customer.

1. APPLICATION OF SERVICE. The owner, the owner's agent, or the occupant of the establishment to be served may apply for service on forms provided by utility. If a new service connection or other work on the establishment is required, the owner must authorize the utility to enter the premises to do the necessary work.
2. 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 and premises for three months or less may elect in writing to be classified as an annual customer subject to annual charges.
3. BILLING PROCEDURES. Annual metered and annual flat rate charges are normally billed bimonthly. The utility does reserve the right to render bills monthly if it so desires.

Minimum meter charges for annual metered service shall be billed bimonthly in advance and water used in excess of the minimum will be billed at the end of the billing bimonthly.

Seasonal minimum meter charges will be billed and due immediately after the meter is set for the season. Bills for water used in excess of the minimum amount will be billed immediately after the final reading for the season. The utility reserves the right to render bill bimonthly for excess water used by seasonal customers.

Seasonal flat rate charges will be billed and due immediately after the service is turned on for the season.

Public and private fire protection charges shall be due and payable in advance, each year, on a (bimonthly) basis.

PROPOSED EFFECTIVE: _____
 EFFECTIVE: FEB 4 - 2002
 DOCKET NUMBER: _____
 DOCKET NO. 01-804

Donald [Signature]

 (AUTHORIZED REP.) (TITLE)
 Town Manager

SUSPENSION LIFTED AND ALLOWED TO GO INTO EFFECT
 BY THE DIRECTOR OF TECHNICAL ANALYSIS THROUGH
 DELEGATED AUTHORITY PURSUANT TO 36-A MRSA
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All bills shall be payable at the office of the utility or at any designated collection station. 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.

- 4. CREDIT AND COLLECTION PROCEDURES. All credit and collection procedures for residential customers will be based upon Chapter 810 of the Maine Public Utilities Commission's Rules and Regulations. All of the procedures for nonresidential customers will be based upon Chapter 860 of the Maine Public Utilities Commission's Rules and Regulations.
- 5. RESTORATION OF SERVICE. The utility will charge a customer a reconnection fee to restore services at the customer's premises if service was disconnected for non-payment of bills, violation of the Terms and Conditions, fraudulent use of water, dangerous conditions on the customer's premises, violation of Commission Rules or at the customer's request.

The reconnection charge is \$ 0.00 for each resumption of service made during the normal business hours of 7:00a.m. to 4:00p.m. Monday through Friday. The charge during other than normal business hours is \$35.00.

- 6. CHARGE FOR ESTABLISHMENT OF SERVICE. The utility will charge \$0.00 to establish water service during the normal business hours of 7:00 a.m. to 4:00p.m. Monday through Friday, if it necessary for the utility to visit the premises to connect the service. The charge during other than normal business hours is \$35.00.
- 7. COLLECTION TRIP FEE. If utility personnel visit the customer's premises to disconnection 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 utility will charge a collection fee of \$0.00 (not more than \$10.00) or the utility's reconnection charge, whichever is less.
- 8. INTEREST RATES ON CUSTOMERS DEPOSITS. The interest rate on customer deposits shall be the rate set by the Public Utilities Commission in accordance with Chapter 870 of the Public Utilities Commission's Rules and Regulations.
- 9. TERMS OF PAYMENT. All bills are due and payable upon presentation. A late payment charge of .833% per month (10% per year) will be made on any unpaid balance outstanding after 30 days from the postmark of any bill. Payments may be at the office of the utility or at any designated collection station. Failure of the customer to receive his/her bill does not relieve him/her of the obligation of its payment nor from the consequences of non-payment.
- 10. CHARGES FOR RETURNED CHECKS. The utility will charge the customer's account for any check returned by the bank for reason of non-payment. The charge is the greater of \$5.00 per check or the amount the bank charges the utility, not to exceed \$15.00. The utility will furnish the customer with proof of any bank charges in excess of \$5.00.

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§ 107, 2002.

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Donald Brannin
(AUTHORIZED REP.) (TITLE)
Town Manager

TERMS AND CONDITIONS

FORT KENT WATER DEPARTMENT

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11. UNAUTHORIZED USE OF WATER. No customer shall supply water to another, nor use it for any purposes not mentioned in his/her application without prior utility approval. No person shall obtain water from any hydrant or other fixture of the utility without prior approval.
12. MAINTENANCE OF PLUMBING. A customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing.
13. NO TAMPERING WITH UTILITY PROPERTY. No person may tamper with utility property. No valve, shutoff, hydrant or standpipe, which is the property of the utility, will be opened or closed or otherwise operated by other than persons authorized by the utility.
14. ACCESS TO PREMISES. Employees of the utility having proper identification have free access to all premises supplied with water, at all reasonable hours to permit the inspection of plumbing and fixtures, to set, remove or read meters, to ascertain the amount of water used and manner of use, and to enforce these Terms and Conditions.
15. LIABILITY. The utility will not be responsible for damage caused by discolored or unsatisfactory water service which may be caused by cleaning pipes, reservoirs, standpipes, or the reopening or closing of any valves or hydrants, or any abnormal condition, unless caused by the lack of reasonable care by the utility. The utility will not be responsible for meeting unusually high water quality standards for specialized or industrial customers.
16. SERVICE INTERRUPTION. The utility will provide notice of any planned shut-off to affected customers at least twenty-four hours in advance of the interruption of service. The utility will give notice of any unplanned shut-off when practicable. If a customer requests, the utility will make a pro rata reduction in the customer's minimum bill if service is interrupted for longer than forty-eight hours and the interruption is not the customer's fault.
17. METERING. Except as provided in Chapter 810, where there is more than one occupant of a building supplied with water, the utility may require the owner to arrange the plumbing to permit separate connections with shut-offs and meters in locations acceptable on the utility, for each place of business or abode.
18. METERING TESTING. The utility will test its water meters according to the schedule and standards in Chapter 620. Upon customer request, the utility will test the customer's water meter in the presence of the customer or representative, at no charge unless the customer requests more than one test in 18 months. If the customer requests a test more frequently, the utility may require the customer to pay a deposit to cover 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 utility will adjust the customer's bill according to the provisions of Chapter 620. If the meter conforms to standard, the utility may keep the customer's deposit and continue to use the meter at the customer's premises.

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(AUTHORIZED REP.) (TITLE)
Town Manager

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- 19. SUBMETERING. Additional or auxiliary meters for showing subdivision of water use must be furnished, installed, read and maintained at the customer's own expense.
- 20. STOP AND WASTE VALVE. Every service must be provided with an operable stop and waste valve located inside the building near the service entrance, easily accessible, and protected from freezing. All plumbing must be installed to prevent back-syphonage and to permit draining whenever necessary.
- 21. CROSS CONECTIONS. No cross connection between the public water supply system and any other supply will be allowed unless properly protected in accordance with the directives and rules of the State Bureau of Health, and no new cross connection may be installed without the approval of the Bureau and the utility. In addition, no connection capable of causing back flow 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 will be permitted. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limit specified by the utility, the utility may disconnect the service according to Chapter 810 of Chapter 860. The utility's cross connection rules are on file at the utility office.
- 22. FLUCTUATION OF PRESSURES BY CUSTOMER'S APPARATUS. A customer may not install or use any device which will affect the utility's pressure or water quality without prior utility permission.
- 23. SAFEGUARDING DIRECT PRESSURE WATER DEVCIES ANS SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES. 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.
- 24. UTILITY JOBBING. Customers must complete a written application before a utility will provide unregulated utility service. The customer must pay a deposit equal to the utility's written estimate. Unless the work is done on a flat rate basis, the utility will return any excess deposit upon completion. If the final cost exceeds the deposit, the customer must pay the additional amount upon completion.
- 25. WINTER CONSTRUCTION. No new service or extension of mains will be installed for the convenience of a customer during winter conditions which increase the cost of the work for the utility unless the customer assumes all extra expense over ordinary construction costs.
- 26. JOINT USE OF SERVICE PIPE TRENCH. Normally, water service pipes will not be placed in the same trench with other utility facilities. Where possible, a horizontal separation of ten feet will provided.

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Where existing, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed if all parties agree provided that complies with all applicable laws, rules, and regulations.

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- 27. CHARGES FOR FIXTURES. All customers billed on flat rates will be charges for all fixtures, whether used or not. If a hot and cold water faucet supply the same fixture, only one faucet will be charges. No water will be furnished for less than the first faucet rate.
- 28. ALTERATIONS IN FIXTURES. No customer supplied with water on flat rates may install any additional fixtures or alter any previously installed fixtures without first giving written notice to the utility.
- 29. WASTE OF UNMETERED WATER. Customers on flat rate must prevent all unnecessary waste of water. Water will not be supplied on flat rates for any continuous flow device. The utility will decide what constitutes waste or improper use will restrict usage when necessary.
- 30. USE OF HOSE AND LAWN SPRINKLER. For purposes of flat rate billing, a hose is considered as such when by hand only. A hose running unattended will be charged as a sprinkler according for both flat rate and metered customers.

When necessary to conserve the water supply, the utility may restrict or prohibit the use of hoses and sprinklers for both flat rate and metered customers.

- 31. FIRE HYDRANTS. Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the utility. Fire hydrants must not be opened by any person other than an agent of the utility or a duly authorized representative of the municipality or the owner.
- 32. PRIVATE FIRE PROTECTION. Customers requiring private fire protection must contact the utility to determine the availability of fire service at their location. Fire service, if available, will be installed at customer's expense within the bounds of the public way or right of way. The fire service line, after installation, will be owned and maintained in the public way or right of way by the utility. Ready-to-serve charges for fire services are billed bimonthly. The utility does not guarantee any quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. Timely notice must be given to utility so a representative of the utility can be present to observe the test.

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(AUTHORIZED REP.) (TITLE)

Tom Meyer

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