

ORDER NO. 15 111

ENTERED: APR 13 2015

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

UW 161

In the Matter of

WILLAMETTE WATER COMPANY, INC.,

ORDER

Request for a General Rate Revision.

DISPOSITION: STIPULATION ADOPTED

I. INTRODUCTION

On August 8, 2014, Willamette Water Company (Willamette) filed a request to increase its annual revenues from water rates from \$233,881 to \$272,307 (\$38,426), an increase of about 16.4 percent. Willamette seeks the rate increase due to increased operating costs, particularly for purchased water expense, and to include in rate base new utility plant put into service since its last rate case.

A public comment meeting and prehearing conference were held in Eugene on October 16, 2014. No member of the public appeared at the public comment meeting. Representatives appeared at the prehearing conference on behalf of Willamette and Commission Staff. We received several letters from customers regarding the proposed rate increase. No petitions to intervene were received.

On March 5, 2015, Willamette and Staff submitted a stipulation settling all issues between them. In its supporting testimony, Staff explains and defends the stipulation. A copy of the stipulation is attached as Appendix A.

II. THE STIPULATION

Willamette is located in Goshen, Oregon, near Eugene. It serves about 97 residential customers, 50 commercial customers, nine industrial customers, nine private fire protection customers, and one public fire protection customer. The company purchases all of its water from the Eugene Water & Electric Board (EWEB).

The parties support an increase of 15.7 percent, resulting in a total revenue requirement of \$270,564 — a reduction of \$1,743 from the amount requested by Willamette in its

application. The parties agree to the rate spread and rate design shown in the proposed tariff sheets attached to the stipulation and support the continuation of the company's automatic adjustment clause (established with the company's Advice No. 08-29 in 2008) to recover increases in the cost of purchased water from EWEB. The stipulation provides for the rates to be effective for service rendered on and after April 21, 2015.

In its testimony, Staff summarizes the major adjustments it made to Willamette's proposed expenses. Staff notes that the major factor contributing to the rate increase is the increase in the cost of purchased water from EWEB (50 percent of the increase). Staff also made adjustments relating to Contract Services – Legal, Contract Services – Labor, rate case amortization expenses, and other accounts.

Staff also made adjustments to Willamette's plant in service. Staff reclassified costs related to hydrant parts and labor and updated the depreciation schedule to its current level, resulting in net plant of \$68,699.

Staff proposes a nine percent return on equity rate of return for Willamette. The company's capital structure is 100 percent equity, so the resulting rate of return is nine percent.

Regarding future purchased water costs, Staff notes that EWEB is considering an annual 4.92 percent increase through 2018, with annual increases of 3.9 percent thereafter. Staff recommends that Willamette's automatic adjustment clause is necessary for the financial integrity of the company and should continue.

Regarding alternate sources of water, Staff notes that Willamette currently has a water permit that allows the company to take water from the McKenzie River (4.0 cubic feet per second), but development of that water right is not economically viable. Willamette applied for a new, greater, water right (34 cubic feet per second) that would support a larger customer base, but the Oregon Water Resources Department denied the request. A groundwater option such as drilling a well is not practical due to contaminants in the area.

Staff describes the proposed spread of the revenue requirement by customer class and the revenue split between base rates and commodity rates. Staff based its allocations on similar spreads used in the previous rate case and on the American Water Works Association's standard allocation factors for meter size, with the exception of residential customers with 1 inch and 1.5 inch lines. Staff exempted those customers because of large variations in their usage and concerns with rate shock.

The overall effect of Staff's rate proposal is to shift cost recovery more toward base rates. Willamette's current commodity rate is \$3.378 per 100 cubic feet. In its application, the company proposed to reduce that rate to \$3.04 per 100 cubic feet, while raising base rates for all customers. The stipulation proposes further reductions to the commodity prices and greater increases to the base rates in most cases.

The impact of the proposed rate increase varies by customer class, size of meter, and usage. The average rate impacts for certain customers are as follows:

Customer	Current Base Rate	Current Commodity Rate	Current Average Monthly Bill	Proposed Base Rate	Proposed Commodity Rate	Proposed Monthly Bill	Difference
Residential 5/8" x 3/4"	\$28.64	\$3.38	\$60.68	\$41.03	\$2.86	\$68.13	\$7.45
Residential 1"	\$54.25	\$3.38	\$127.41	\$82.07	\$2.86	\$143.93	\$16.52
Commercial 5/8" x 3/4"	\$28.64	\$3.38	\$75.01	\$29.24	\$2.90	\$69.10	(\$5.91)
Commercial 1"	\$54.25	\$3.38	\$129.19	\$73.10	\$2.90	\$137.51	\$8.32
Industrial 5/8" x 3/4"	\$28.64	\$3.38	\$95.07	\$23.23	\$2.71	\$76.60	(\$18.47)
Industrial 1"	\$54.25	\$3.38	\$416.26	\$58.07	\$2.71	\$348.92	(\$67.34)

Prior to the prehearing conference, the Commission received a letter from a residential customer with a one inch meter whose service could be provided with a 3/4 inch meter. The customer was concerned with the disparate rate impacts proposed by the company for the different meter sizes. According to Staff, Willamette reached out to the customer and agreed to change out the one-inch meter at cost.

III. DISCUSSION

No person has objected to the stipulation and it is supported by Staff's testimony. We anticipate that, in future cases, the rate impacts by customer class will not vary so dramatically.

As we stated in our decision in Order No. 08-256, docket UW 125, the EWEB charges are a source of concern, obviously for Willamette and its customers. We found that an automatic adjustment clause is a reasonable vehicle for passing through necessary increases in water costs, but indicated that approval of such a clause would not relieve the company from its obligation to pursue lower cost water supplies. We are satisfied that Willamette has prudently explored its water supply options.

The stipulation is reasonable and should be adopted.

IV. ORDER


IT IS ORDERED that:

1. Advice No. 14-08 filed by Willamette Water Company is permanently suspended.
2. The stipulation between Willamette Water Company and the Staff of the Public Utility Commission of Oregon is adopted.
3. The company shall file tariff sheets to become effective April 21, 2015.


Made, entered, and effective APR 13 2015.



Susan K. Ackerman
Chair



John Savage
Commissioner



Stephen M. Bloom
Commissioner



A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

1 BEFORE THE PUBLIC UTILITY COMMISSION

2 OF OREGON

3 UW 161

4
5 In the Matter of)
6 Willamette Water Company, Inc.) STIPULATION
7 Application for General Rate Increase)
8

9
10 Willamette Water Company, Inc. (Willamette or Company) appearing by and
11 through its Secretary and Director of Operations, Jeff Demers; and the Public
12 Utility Commission of Oregon Staff (Staff) appearing by and through its attorney,
13 Jason W. Jones, Assistant Attorney General; hereafter collectively referred to as
14 the Parties, enter into this Stipulation in resolution of all issues in the case.

15 1.

16 The Parties support entering into evidence, without requiring any Party to
17 lay a foundation for its admission, this Stipulation and Attachment A (revenue
18 requirement) and Attachment B (tariffs) and Staff's written testimony and exhibits
19 marked as Staff/100, Miller/1-17, Staff/101, Miller/1-18, and Staff/102, Miller/1.

20 2.

21 The Parties support and recommend the Commission adopt a 15.7 percent
22 increase over test year revenue resulting in a total revenue requirement of
23 \$270,564. The stipulated revenue requirement is included as Attachment A to this
24 Stipulation.

1 3.

2 The Parties agree to and support the stipulated rates, fees, and rules and
3 regulations contained in Attachment B to this Stipulation, Willamette's tariff sheets
4 designated as PUC Oregon No. 3, Original Sheets Nos. 1 through 30.

5 4.

6 The Parties agree to and support the Company charging Residential
7 Metered rates as shown in Attachment B to this Stipulation, designated as PUC
8 Oregon No. 3, Schedule No. 1, Original Sheet No. 3.

9 5.

10 The Parties agree to and support the Company charging Commercial
11 Metered rates as shown in Attachment B to this Stipulation, designated as PUC
12 Oregon No. 3, Schedule No. 2, Original Sheet No. 5.

13 6.

14 The Parties agree to and support the Company charging Industrial Metered
15 rates as shown in Attachment B to this Stipulation, designated as PUC Oregon No.
16 3, Schedule No. 3, Original Sheet No. 7.

17 7.

18 The Parties agree to and support the Company charging Private Fire
19 Protection Service rates as shown in Attachment B to this Stipulation, designated
20 as PUC Oregon No. 3, Schedule No. 4, Original Sheet No. 9.

1 8.

2 The Parties agree to and support the Company charging Public Fire
3 Protection Service rates as shown in Attachment B to this Stipulation, designated
4 as PUC Oregon No. 3, Schedule No. 5, Original Sheet No. 10.

5 9.

6 The Parties agree to and support the Company charging Temporary
7 Hydrant Meter rates as shown in Attachment B to this Stipulation, designated as
8 PUC Oregon No. 3, Schedule No. 6, Original Sheet No. 11.

9 10.

10 The Parties agree to and support Willamette's Miscellaneous Service
11 Charges according to Schedule No. 7, as set forth in the tariff sheet designated
12 PUC Oregon No. 3, Original Sheet No. 12.

13 11.

14 The Parties agree to and support the continuation of the Automatic
15 Adjustment Clause to recover the expected increases in costs of purchased water
16 from EWEB, as set forth in the tariff sheets designated PUC Oregon No. 3,
17 Schedule No. 8, Original Sheet No. 13 through Original Sheet No. 14.

18 12.

19 The Parties agree to and support the rates being effective for service
20 rendered on and after April 21, 2015.

1 13.

2 By entering into this Stipulation, no Party shall be deemed to have
3 approved, accepted, or consented to the facts, principles, methods, or theories
4 employed by any other Party in arriving to this Stipulation.

5 14.

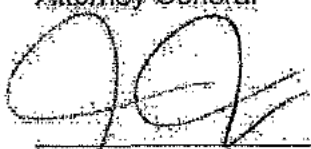
6 The Parties have negotiated this agreement in good faith and recommend
7 that the Commission adopt this Stipulation in its entirety. The Parties have
8 negotiated this Stipulation as an integrated document. Accordingly, if the
9 Commission rejects all or any material portion of this Stipulation, each Party
10 reserves the right, upon written notice to the Commission and all Parties to this
11 proceeding within 15 days of the date of the Commission's order, to withdraw from
12 the Stipulation and request an opportunity for the presentation of additional
13 evidence and argument.

15

The Parties understand that this Stipulation is not binding on the Commission in ruling on this application and does not foreclose the Commission from addressing other issues.

DATED this 3rd day of March 2015.

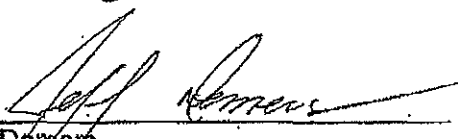
Respectfully submitted,
ELLEN ROSENBLUM
Attorney General


Jason W. Jones, # 00059
Assistant Attorney General
Attorney for PUC Staff

15.

The Parties understand that this Stipulation is not binding on the Commission in ruling on this application and does not foreclose the Commission from addressing other issues.

DATED this 3rd day of March 2015.


Jeff Demers
Secretary
Willamette Water Company, Inc.

Willamette Water Company
Docket # UW 161
Test Year: 2013

Company
Proposed
Increase: 16.4%

Staff Proposed
Increase: 15.7%

Revenue Requirement

Acct No.	REVENUES	A Company Balance per Application	B Company Proposed Adjustments	C Company A+B=C Proposed Company Totals	D Staff Staff Adjustments	E Staff C+D=E Adjusted Results	F Staff Revenue- Sensitive Adjustments	G Staff D+F=G Total PUC Adjustments	H Total C+G=H PUC Proposed Results
450	Unmetered Water Sales	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
451.1	Residential Water Sales	\$ 76,883	\$ 12,713	\$ 89,596	\$ -	\$ 89,596	\$ (655)	\$ (655)	\$ 89,041
451.2	Commercial Water Sales	\$ 62,950	\$ 10,995	\$ 73,945	\$ -	\$ 73,945	\$ (535)	\$ (535)	\$ 72,910
451.3	Industrial Water Sales	\$ 90,164	\$ 14,889	\$ 105,053	\$ -	\$ 105,053	\$ (767)	\$ (767)	\$ 104,286
452.1	Public Fire Protection	\$ 89	\$ 103	\$ 172	\$ -	\$ 172	\$ (1)	\$ (1)	\$ 171
452.2	Private Fire Protection	\$ 2,530	\$ 1,461	\$ 4,041	\$ -	\$ 4,041	\$ (28)	\$ (28)	\$ 4,012
458	Irrigation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
457	Sales for Resale	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
458	Special Contracts *	\$ 493	\$ (493)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
471	Miscellaneous Services *	\$ 872	\$ (872)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
472	Rent from Util. Property **	\$ -	\$ -	\$ -	\$ 244	\$ 244	\$ -	\$ 244	\$ 244
475	Cross Connection Control Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL REVENUE	\$ 233,981	\$ 38,428	\$ 272,307	\$ 244	\$ 272,551	\$ (1,987)	\$ (1,743)	\$ 270,584
	OPERATING EXPENSES								
601	Salaries and Wages - Employees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
603	Salaries and Wages - Officers	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
604	Employee Pension & Benefits	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
610	Purchased Water	\$ 107,674	\$ 10,707	\$ 118,378	\$ 7,695	\$ 126,073	\$ -	\$ 7,695	\$ 126,073
611	Telephone/Communications	\$ 1,801	\$ -	\$ 1,801	\$ (356)	\$ 1,445	\$ -	\$ (356)	\$ 1,445
615	Purchased Power	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
616	Fuel for Power Production	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
617	Other Utilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
618	Chemical / Treatment Expense	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
619	Office Supplies	\$ 230	\$ -	\$ 230	\$ (12)	\$ 218	\$ -	\$ (12)	\$ 218
619.1	Postage	\$ 803	\$ -	\$ 803	\$ (0)	\$ 803	\$ -	\$ (0)	\$ 803
620	O&M Materials/Supplies	\$ 59	\$ -	\$ 59	\$ 358	\$ 415	\$ -	\$ 358	\$ 415
621	Repairs to Water Plant	\$ 3,497	\$ 1,981	\$ 5,458	\$ (648)	\$ 4,810	\$ -	\$ (648)	\$ 4,810
631	Contract Svcs - Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
632	Contract Svcs - Accounting	\$ 658	\$ 1,094	\$ 1,750	\$ -	\$ 1,750	\$ -	\$ -	\$ 1,750
633	Contract Svcs - Legal	\$ 3,873	\$ 3,289	\$ 7,162	\$ (777)	\$ 6,385	\$ -	\$ (777)	\$ 6,385
634	Contract Svcs - Management Fees	\$ 80,313	\$ -	\$ 80,313	\$ -	\$ 80,313	\$ -	\$ -	\$ 80,313
635	Contract Svcs - Testing	\$ 725	\$ 105	\$ 830	\$ (79)	\$ 751	\$ -	\$ (79)	\$ 754
636	Contract Svcs - Labor	\$ 18,275	\$ 1,387	\$ 19,662	\$ (678)	\$ 18,984	\$ -	\$ (678)	\$ 18,984
637	Contract Svcs - Billing/Collection	\$ 149	\$ -	\$ 149	\$ 0	\$ 149	\$ -	\$ 0	\$ 149
638	Contract Svcs - Meter Reading	\$ 780	\$ -	\$ 780	\$ -	\$ 780	\$ -	\$ -	\$ 780
639	Contract Svcs - Other	\$ 65	\$ -	\$ 65	\$ (86)	\$ -	\$ -	\$ (86)	\$ -
641	Rental of Building/Real Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
642	Rental of Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
643	Small Tools	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
646	Computer/Electronic Expenses	\$ 835	\$ -	\$ 835	\$ -	\$ 835	\$ -	\$ -	\$ 835
650	Transportation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
656	Vehicle Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
657	General Liability Insurance	\$ 2,025	\$ -	\$ 2,025	\$ -	\$ 2,025	\$ -	\$ -	\$ 2,025
658	Workers' Comp Insurance	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
659	Insurance - Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
666	Amort. of Rate Case	\$ 5,174	\$ -	\$ 5,174	\$ (3,976)	\$ 1,498	\$ -	\$ (3,976)	\$ 1,498
	Gross Revenue Fee (PUC)	\$ 563	\$ 21	\$ 584	\$ -	\$ -	\$ 92	\$ 92	\$ 676
670	Bad Debt Expense	\$ -	\$ 80	\$ 80	\$ 107	\$ 187	\$ -	\$ 107	\$ 187
671	Cross Connection Control Program	\$ -	\$ 75	\$ 75	\$ -	\$ 75	\$ -	\$ -	\$ 75
673	Training and Certification	\$ -	\$ 160	\$ 160	\$ -	\$ 160	\$ -	\$ -	\$ 160
674	Consumer Confidence Report	\$ 150	\$ 100	\$ 250	\$ 25	\$ 275	\$ -	\$ 25	\$ 275
	Miscellaneous Expense	\$ 664	\$ -	\$ 664	\$ (0)	\$ 664	\$ -	\$ (0)	\$ 664
OE1	Other Expense 1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OE2	Other Expense 2	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OE3	Other Expense 3	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OE4	Other Expense 4	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
OE5	Other Expense 5	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL OPERATING EXPENSE	\$ 234,308	\$ 18,978	\$ 263,287	\$ 1,597	\$ 254,900	\$ 92	\$ 1,689	\$ 254,976
	OTHER REVENUE DEDUCTIONS								
	Depreciation Expense	\$ 3,028	\$ 267	\$ 3,315	\$ 87	\$ 3,402	\$ -	\$ 87	\$ 3,402
466	Amort of Plant Acquisition Adjustment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
467	Amortization Expense	\$ 22,611	\$ (22,611)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
468.11	Property Tax	\$ 2,005	\$ -	\$ 2,005	\$ (19)	\$ 1,989	\$ -	\$ (19)	\$ 1,989
468.12	Payroll Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
468.13	Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
469.1	Federal Income Tax	\$ (7,152)	\$ 10,636	\$ 3,484	\$ -	\$ -	\$ (2,055)	\$ (2,055)	\$ 1,429
469.11	Oregon Income Tax	\$ (2,526)	\$ 3,757	\$ 1,231	\$ -	\$ -	\$ (558)	\$ (558)	\$ 873
469.13	Extraordinary Items Income Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	TOTAL REVENUE DEDUCTIONS	\$ 252,273	\$ 11,048	\$ 263,321	\$ 1,668	\$ 259,981	\$ (2,620)	\$ (852)	\$ 262,469
	NET OPERATING INCOME	\$ (18,392)	\$ 27,378	\$ 8,888	\$ (1,424)	\$ 12,880	\$ 533	\$ (891)	\$ 8,995
	UTILITY RATE BASE								
271	Utility Plant Invested by Company	\$ 913,813	\$ (454,290)	\$ 459,523	\$ 457,919	\$ 617,442	\$ -	\$ 457,919	\$ 617,442
	+ Contributions in Aid of Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	- Excess Capacity	\$ -	\$ -	\$ -	\$ 454,290	\$ 454,290	\$ -	\$ 454,290	\$ 454,290
	Equals: Total Utility Plant	\$ 913,813	\$ (454,290)	\$ 459,523	\$ 3,629	\$ 463,152	\$ -	\$ 3,629	\$ 463,162
	- Accum. Depreciation-Invested Plant	\$ 61,042	\$ -	\$ 61,042	\$ 3,411	\$ 94,453	\$ -	\$ 3,411	\$ 94,463
	- Accum. Depreciation-CIAC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
271	+ Contributions in Aid of Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
261	- Accumulated Deferred Income Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
272	+ Accum. Amortization of CIAC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Equals: Net Invested Utility Plant	\$ 522,771	\$ (454,290)	\$ 68,481	\$ 218	\$ 68,699	\$ -	\$ 218	\$ 68,699
	Plus: Working Capital	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
161	Materials and Supplies Inventory	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
WkCsh	Working Cash (Total Op Exp /12)	\$ 19,523	\$ 1,582	\$ 21,108	\$ 140	\$ 21,248	\$ -	\$ 140	\$ 21,248
	TOTAL RATE BASE	\$ 542,297	\$ (452,708)	\$ 89,589	\$ 358	\$ 89,947	\$ -	\$ 358	\$ 89,947
	Rate of Return	-3.39%		10.03%		14.30%			9.00%

* Account 466 & 471 - Special Contracts/Misc Services Revenue; Company inadvertently transposed these two numbers/Staff corrected

** Account 472 - Rent from UIR Property; Staff average 5 years of Hydrant Rent \$244

ORDER NO.

15-111

PUC Oregon No. 3
Willamette Water Company, Inc.

ATTACHMENT B
Original Sheet No. 1

**Containing Rules and Regulations
Governing Water Utility Service**

NAMING RATES FOR

Willamette Water Company, Inc.

25275 Loten Way

Veneta OR 97487

(541) 935-1050

Serving water in the vicinity of

Goshen, Oregon

Issue Date		Effective Date	April 21, 2015
Issued By	Willamette Water Company, Inc.		
Signature			
Name & Title	Jeff Demers, Secretary		

ADVICE NO. _____
(PUC USE ONLY)

PUC Oregon No. 3
Willamette Water Company, Inc.

ATTACHMENT B
Original Sheet No. 2

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	Rules and Regulations.....	15

Issue Date		Effective Date	April 21, 2015
Issued By	Willamette Water Company, Inc.		
Signature			
Name & Title	Jeff Demers, Secretary		

ADVICE NO. _____
(PUC USE ONLY)

PUC Oregon No. 3
Willamette Water Company, Inc.

ATTACHMENT B
Original Sheet No. 3

SCHEDULE NO. 1

RESIDENTIAL METERED RATES

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To residential customers with metered service.

Base Rate

Service Meter Size	Monthly Base Rate	Usage Allowance	Unit of Measure
5/8 or 3/4 inch	\$41.03	0	cubic feet
1 inch	\$82.07	0	cubic feet
1½ inches	\$143.62	0	cubic feet
DM1	\$41.03	0	cubic feet

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$2.86	Per	100	cubic feet	Above	0	cubic feet

Special Provisions:

1. These rates are based on continuous service. Discontinuation of service may not be employed to avoid monthly charges for service. See Rule No. 26, Voluntary Discontinuance.

Issue Date		Effective Date	April 21, 2015
Issued By	Willamette Water Company, Inc.		
Signature			
Name & Title	Jeff Demers, Secretary		

ADVICE NO. _____
(PUC USE ONLY)

PUC Oregon No. 3
Willamette Water Company, Inc.

ATTACHMENT B
Original Sheet No. 4

2. Water used during the construction of buildings, etc., shall be metered. Charges shall be made at the rates specified in this schedule. When setting of a meter is impracticable, the amount of water used shall be estimated, and the charges shall be made at specified rates for the amounts so estimated.
3. Whenever an existing water meter serves more than one use, the customer will be charged one base rate for the size water meter, plus the base rate for a 5/8 x 3/4 inch meter for each additional use. The customer will be charged the commodity rate for all usage. No new multiple uses on a single meter are permitted.
4. For multi-family residential usage - the multi-family residential customer is a dwelling premise consisting of more than one residential dwelling unit with multiple dwellings in a single building, e.g., duplex, triplex, apartment building. The utility may charge the owner of the premise a base rate for the meter size installed on the premises for the first dwelling unit and a 5/8 x 3/4 inch base charge per dwelling unit for all of the other dwelling units and a commodity rate for the total water consumed through a master meter.
5. For mixed residential / commercial usage, the water utility will charge a base rate for the size water meter serving the commercial use (1-inch minimum) plus a 5/8 x 3/4 inch base rate for each residential use in the same building, plus the commodity rate for water used.

Issue Date		Effective Date	April 21, 2015
Issued By	Willamette Water Company, Inc.		
Signature			
Name & Title	Jeff Demers, Secretary		

ADVICE NO. _____
(PUC USE ONLY)

PUC Oregon No. 3
Willamette Water Company, Inc.

ATTACHMENT B
Original Sheet No. 5

SCHEDULE NO. 2

COMMERCIAL METERED RATES

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To commercial customers with metered service.

Base Rate

Service Meter Size	Monthly Base Rate	Usage Allowance	Unit of Measure
5/8 or 3/4 inch	\$29.24	0	cubic feet
1 inch	\$73.10	0	cubic feet
1½ inches	\$146.20	0	cubic feet
2 inch	\$233.93	0	cubic feet
DM1	\$29.24	0	cubic feet
DM2	\$58.48	0	cubic feet

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$2.90	Per	100	cubic feet	Above	0	cubic feet

Issue Date		Effective Date	April 21, 2015
Issued By	Willamette Water Company, Inc.		
Signature			
Name & Title	Jeff Demers, Secretary		

ADVICE NO. _____
(PUC USE ONLY)

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Special Provisions:

1. These rates are based on continuous service. Discontinuation of service may not be employed to avoid monthly charges for service. See Rule No. 26, Voluntary Discontinuance.
2. Water used during the construction of buildings, etc., shall be metered. Charges shall be made at the rates specified in this schedule. When setting of a meter is impracticable, the amount of water used shall be estimated by the utility, and the charges shall be made at specified rates for the amounts so estimated, including monthly minimum meter rates.
3. Existing 5/8 and 3/4 inch meters will be allowed to continue in use at the Schedule 2 rates, however, the minimum size meter for all new commercial uses will be 1 inch or larger.
4. The utility will charge the owner of the commercial complex a base rate for each commercial unit receiving water service. This means that the individual unit has water plumbed to the unit for purposes other than fire protection. The utility will charge the commercial complex customer a base rate for each individual unit in the complex receiving water service and a commodity rate for the water consumed for non-fire purposes.
5. In the case of a commercial complex that has multi-buildings and multi-units in the buildings and the buildings have water service, but not all units have water service, the utility will charge the commercial complex customer a base rate for the size meter installed for the first building or unit, plus a 1-inch base rate for each of the other individual buildings or units in the complex receiving water service, plus a commodity rate for water consumed.

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SCHEDULE NO. 3

INDUSTRIAL METERED RATES

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To industrial customers with metered service.

Base Rate

Service Meter Size	Monthly Base Rate	Usage Allowance	Unit of Measure
5/8 or 3/4 inch	\$23.23	0	cubic feet
1 inch	\$58.07	0	cubic feet
1½ inches	\$116.13	0	cubic feet
3 inch	\$348.40	0	cubic feet
6 inch	\$1161.32	0	cubic feet

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$2.71	Per	100	cubic feet	Above	0	cubic feet

Special Provisions:

- These rates are based on continuous service. Discontinuation of service may not be employed to avoid monthly charges for service. See Rule No. 26, Voluntary Discontinuance.

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2. Water used during the construction of buildings, etc., shall be metered. Charges shall be made at the rates specified in this schedule. When setting of a meter is impracticable, the amount of water used shall be estimated by the utility, and the charges shall be made at specified rates for the amounts so estimated, including monthly minimum meter rates.
3. Existing 5/8 and 3/4 inch meters will be allowed to continue in use at the Schedule 3 rates, however, the minimum size meter for all new industrial uses will be 1 inch or larger.
4. The utility will charge the owner of the industrial complex a base rate for each industrial unit receiving water service. This means that the individual unit has water plumbed to the unit for purposes other than fire protection. The utility will charge the industrial complex customer a base rate for each individual unit in the complex receiving water service and a commodity rate for the water consumed for non-fire purposes.
5. In the case of a industrial complex that has multi-buildings and multi-units in the buildings and the buildings have water service, but not all units have water service, the utility will charge the industrial complex customer a base rate for the size meter installed for the first building or unit, plus a 1-inch base rate for each of the other individual buildings or units in the complex receiving water service, plus a commodity rate for water consumed.

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SCHEDULE NO. 4

PRIVATE FIRE PROTECTION SERVICE

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To customers with automatic sprinkler systems and fire hydrant service for private fire protection and located on the customer's premises.

Base Rate

Service Meter Size	Monthly Base Rate	Usage Allowance	Unit of Measure
4 inch	\$30.39	0	cubic feet
6 inch	\$60.78	0	cubic feet

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$2.90	Per	100	cubic feet	Above	0	cubic feet

Special Provisions:

1. These rates are based on continuous service. Discontinuation of service may not be employed to avoid monthly charges for service. See Rule No. 26, Voluntary Discontinuance.
2. Water taken under this schedule is to be used only to extinguish fires and for flushing necessary to maintain fire protection equipment. The consumption may be estimated or a meter may be installed at the customer's expense and with the utility's preauthorization and approval of the meter to be used. The water use shall be billed at regular metered rates.
3. The minimum size fire protection meter to be billed is 4 inches. At a minimum, the customer shall install a utility approved backflow device and detection meter that is located on the customer's property at the property line, and outside of any building.

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SCHEDULE NO. 5

PUBLIC FIRE PROTECTION SERVICE

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To fire hydrant service for public fire protection only.

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$3.00	Per	100	cubic feet	Above	0	cubic feet

Special Provisions:

1. Water taken under this schedule is to be used only for fire protection and training exercises. The consumption may be estimated or a meter may be installed at the customer's expense and with the utility's preauthorization and approval of the meter to be used. The water use shall be billed at the rates specified in this schedule.
2. There will be no charge for water used as part of a typical hydrant exercising procedure performed during annual maintenance.

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SCHEDULE NO. 6

TEMPORARY HYDRANT METER

Available: To customers of the Utility at Goshen, Oregon, and vicinity.

Applicable: To customers wishing to draw water temporarily from a fire hydrant for such uses as construction.

Flat Rate

Service Meter Size	Monthly Base Rate	Usage Allowance	Unit of Measure
4" or 6" Hydrant	\$100.00	0	cubic feet

Commodity Usage Rate

Commodity Rate		Number of Units	Unit of Measure	Base Usage Allowance		Unit of Measure
\$3.04	Per	100	cubic feet	Above	0	cubic feet

Special Provisions:

1. Temporary service from a fire hydrant shall be permitted only from fire hydrants approved by the utility and only when service shall not interfere with the normal operation of the water system (such as during periods of hot dry weather with high water usage and high fire danger). Temporary service from a fire hydrant shall not be permitted in cases where it substitutes for a permanent service.
2. After an appropriate hydrant and meter configuration for the type of use permitted is determined, the Utility shall issue a hydrant permit for temporary service, not to exceed 30 days from the date of approval. Anyone using a hydrant without a permit shall be billed the base rate and commodity usage rate with a minimum charge of two hours usage.
3. If damage occurs to the hydrant resulting from its being used as a temporary service, the person responsible for said damage will be billed the cost of repair.

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SCHEDULE NO. 7

MISCELLANEOUS SERVICE CHARGES

This schedule lists the miscellaneous charges included in the utility's Rules and Regulations; refer to the appropriate rules for an explanation of charges and conditions under which they apply.

Connection Charge for New Service (Rule No. 9)

Standard ¾-inch service	At cost
Nonstandard ¾ inch service	At cost
Larger than ¾-inch	At cost

Meter Test (Rule No. 21)

First test within 12-month period	N/C
Second test within 12-month period	\$40

Pressure Test (Rule No. 40)

First test within 12-month period	N/C
Second test within 12-month period	\$40

Late-Payment Charge (Rule No. 22)

Charged on amounts more than 30 days past due	Pursuant to OAR 860-036-0130 (as of 1/1/15 – 1.8%)
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Deposit for Service (Rule No. 5)

Pursuant to OAR 860-036-0040(2)	Pursuant to OAR 860-036-0050 (as of 1/1/15 – 0.1%)
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Returned-Check Charge (Rule No. 23)

	\$25 each occurrence
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Trouble-Call Charge (Rule No. 36)

During normal office hours	\$40 per hour
After normal office hours on special request	\$60 per hour

Disconnect Charge (Rule No. 28)

During normal office hours	\$30
After normal office hours on special request	\$45

Reconnect Charge (Rule No. 26, 28 & 29)

During normal office hours	\$40
After normal office hours on special request	\$60

Unauthorized Restoration of Service (Rule No. 30)

	Reconnection charge plus costs
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Damage/Tampering Charge (Rule No. 34)

	At cost
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Field Visit Charge (Rule No. 29)

	\$30
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SCHEDULE NO. 8

PURCHASED WATER COST ADJUSTMENT

Schedule No. 8 is an "Automatic Adjustment Clause" as defined in ORS 757.210(b). The Automatic Adjustment Clause is subject to an annual review by the Commission.

Purpose: To define procedures for periodic revision in rates due to changes in the Company's purchased water cost (that reflect the previous year's February to January EWEB invoices), to describe how a rate change for purchased water cost is calculated, and to identify any other requirements.

Applicable: The purchased water cost adjustment applies to the following schedules contained in the Company's tariffs: Schedules 1, 2, 3, 4, 5, and 6.

Purchased Water Cost Adjustment

Charges under the applicable schedules are subject to increases that may be made without prior hearing to reflect the changes in the Company's purchased water costs resulting from adjustments in the rate charged to the Company by the Eugene Water and Electric Board (EWEB).

The Company may file purchased water cost adjustments annually to be effective upon the date EWEB implements rate changes.

Description of Purchased Water Cost Adjustment Calculation for Year 1 (February 2014 through January 2015)

Year 1

1. The 2013 purchased water cost adjusted to reflect EWEB's mid-year May 1, 2013, 23.7 percent increase and May 1, 2014, 3 percent increase determines the anticipated cost.

2013 Cost	EWEB Adjustment	Anticipated 2014 Cost
107,671	10,707	\$118,378

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**Description of Purchased Water Cost Adjustment Calculation
for Years 2 through 10 (February 2015 through January 2024)**

Years 2 through 10:

The Commission will calculate the Automatic Adjustment Clause as follows:

1. Examine the actual February through January cost for the preceding year.
2. Take the February through January actual cost for the preceding year and escalate based on EWEB announced increase for the current year.
3. Adjust 2013 base year cost for consumption by multiplying 2013 base year cost to projected consumption and dividing result by 2013 base year consumption.
4. Subtract the previous adjusted base year cost (Step 3) from the calculated increased cost (Step 2).
5. Divide the result of Step 4 by the projected consumption in units of 100 cf for the current year. The result is the Adjustment Rate.
6. The Company shall file the information and proposed tariff described in Steps 1 through 5 within 30 days of applicable water rate increase decisions by EWEB, to be effective no less than 30 days after the filing date.

Adjustment Rates

<u>Schedule</u>	<u>\$ per 100 cf</u>
1 Residential	\$0.00
2 Commercial	\$0.00
3 Industrial	\$0.00
4 Private Fire Protection	\$0.00
5 Public Fire Protection Service	\$0.00
6 Temporary Hydrant Meter	\$0.00

The rates shown above shall be added to the commodity charge listed in each schedule.

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RULES AND REGULATIONS

Rule 1: Jurisdiction of the Commission

The Rules and Regulations herein shall be subject to the rules and regulations of the Public Utility Commission of Oregon.

Rule 2: Definitions

- A. "Utility" shall mean **Willamette Water Company**.
- B. "Applicant" shall mean any person, business, or organization that applies for service or reapplies for service at a new existing location after service has been discontinued, except as noted in the definition of "Customer."
- C. "Commission" shall mean the Public Utility Commission of Oregon.
- D. "Customer" shall mean any person, business, or organization who has applied for, been accepted to receive, or is currently receiving service. A customer who voluntarily discontinues service at the same or different premises within 20 (twenty) days after discontinuance retains customer status.
- E. "Residential customer premises" shall mean any dwelling and its land including, but not limited to, a house, apartment, condominium, townhouse, cottage, cabin, mobile home, or trailer house.
- F. "Commercial customer premises" shall mean any premises at which a customer carries on any major activity of gaining a livelihood or performing a public service. Such activity may be of a business, industrial, professional, or public nature.
- G. "Main" shall mean the pipe laid in the street, alley, or other right-of-way for the distribution of water to customers. It shall not include service lines.
- H. "Service connection" shall mean the pipe, stops, fittings, meter, and meter box laid from the main to the property line of the premises served.
- I. "Customer line" shall mean the pipe, stops, and fittings leading from the property line to the premises served.
- J. "Point of Delivery" is the property line or the outlet swivel/union of the meter defining where the service connection stops and the customer line starts.

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APPLICATION FOR SERVICE

Rule 3: Customer/Applicant Information (OAR 860-036-0015)

The utility shall provide or be able to provide customers or applicants with the following information:

- A. Instructions on how to read meters, either in writing or by explanation;
- B. Application and contract forms;
- C. Utility rules and regulations;
- D. Commission rules and regulations;
- E. Approved tariffs;
- F. Rights and Responsibilities Summary for Oregon Utility Consumers;
- G. Notices in foreign languages, if applicable;
- H. The utility's business address, telephone number, and emergency telephone number; and
- I. Notices approved by the Commission.

Rule 4: Application for Service (OAR 860-036-0035)

Application for water service must be made for each individual service. The application shall identify the applicant, the premises to be served, the billing address if different, the type of use to which the water is to be put, and an agreement to conform to the Rules and Regulations of the utility as a condition for receiving such service. The applicant shall, at this time, pay any scheduled fees or deposits. An application is a request for water utility service and shall not be accepted until the applicant establishes credit as set forth in OAR 860-036-0040.

An application for water service must be made where:

- A. An applicant who has not previously been served by the water utility requests service;
- B. Service has been involuntarily discontinued in accordance with the utility and Commission rules, and service is sought;
- C. Service has been voluntarily discontinued and a request to restore service has not been made within 20 days; or
- D. There is a change in the identity of a customer, the type of use to which the water is put, or the number of premises served.

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Rule 5: Deposit for Service (OAR 860-036-0040)

In accordance with the Commission's rules for credit establishment and deposit waiver, an applicant or a customer may be required to make a deposit to secure payment of bills for service. The deposit shall not exceed one-sixth (1/6) the amount of reasonable estimated billings for one year's use of service at the premises during the prior year or upon the type and size of the customer's equipment that will use the service. (OAR 860-036-0040)

The utility shall pay interest on deposits at the rate established by the Commission. After the customer has paid bills for service for 12 consecutive months without having had service discontinued for nonpayment, or more than two occasions in which a shut-off notice was issued, and the customer is not then delinquent in the payment of bills, the utility shall promptly and automatically refund the deposit plus accrued interest by (check one):

- ☐ 1) issuing the customer a refund check
☒ 2) crediting the customer's account; however, a customer is entitled to a refund upon request pursuant to OAR 860-036-0055.

Rule 6: Customer Service Line

The customer shall own and maintain the customer service line and promptly repair all breaks and leaks. The utility shall not be responsible for any damage or poor service due to inadequacy of the customer line or any portion of the customer's plumbing. All leaks in the customer line, faucets, and all other parts of the plumbing owned or controlled by the customer shall be promptly repaired so as not to waste water. The customer may install a shut-off valve on customer side of meter to allow for repairs to customer service line or interior plumbing. If the customer calls the utility to request water service shut off to allow for repairs on customer side of meter, customer shall be billed for a trouble call charge.

Rule 7: Separate Control of Service

All premises supplied with water will be served through service lines so placed as to enable the utility to control the supply to each individual premise using a valve placed within and near the line of the street, the utility right-of-way, or at the meter. Each single family residence shall have its own service connection to the utility's water line.

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MULTI-FAMILY RESIDENTIAL CUSTOMER

The multi-family residential customer is a dwelling premise consisting of more than one residential dwelling unit with multiple dwellings in a single building, e.g., duplex, triplex, apartment building. The utility may charge the owner of the premise a base rate for the meter size installed on the premises for the first dwelling unit and a 5/8 x 3/4 inch base charge per dwelling unit for all of the other dwelling units and a commodity rate for the total water consumed through a master meter.

MULTI-UNIT COMMERCIAL CUSTOMER

The utility will charge the owner of the commercial complex a base rate for each commercial unit receiving water service. This means that the individual unit has water plumbed to the unit for purposes other than fire protection. The utility will charge the commercial complex customer a base rate for each individual unit in the complex receiving water service and a commodity rate for the water consumed for non-fire purposes.

If the unit has only fire protection (including sprinklers), but no other water service, the water utility will charge a fire protection fee. The commercial complex owner would not be charged a base rate for commercial units without water (other than fire protection) plumbed directly to the unit.

In the case of a commercial complex that has multi-buildings and multi-units in the buildings and the buildings have water service, but not all units have water service, the utility will charge the commercial complex customer a base rate for the size meter installed for the first building or unit, plus a 1-inch base rate for each of the other individual buildings or units in the complex receiving water service, plus a commodity rate for water consumed.

MIXED RESIDENTIAL-COMMERCIAL USE CUSTOMER

The water utility will charge a base rate for the size water meter serving the commercial use (1-inch minimum) plus a 5/8 x 3/4 inch base rate for each residential use in the same building, plus the commodity rate for water used.

Rule 8: Service Connections (OAR 860-036-0060)

The utility shall furnish and install all necessary trenching, pipe, valves, and fittings between its main line and the customer's service line. Such installation shall be designated as the service connection. The utility shall own, operate, maintain, and replace the service connection when necessary and promptly repair all breaks and leaks. The customer shall not be responsible for any damage or poor service due to inadequacy of the service lines or any portion of the utility's plumbing.

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Rule 9: Service Connection Charge (OAR 860-036-0060)

An applicant requesting permanent water service to premises not previously supplied with permanent water service by the utility shall be required to pay the service connection charge listed in the utility's Miscellaneous Service Charges Schedule. The minimum meter size for commercial or industrial use is 1 inch.

Rule 10: Main Line Extension Policy (OAR 860-036-0065)

The utility shall specify the size, character, and location of pipes and appurtenances in any main line extension. Main line extensions shall normally be along streets, roads, highways, or other satisfactory rights-of-way. All construction work shall conform to all applicable rules, regulations, codes, and industry standards. Each main line extension shall normally extend along applicant's property line to the point the applicant's service line would be at a 90-degree angle to the street or main line. The minimum mainline extension charge shall be for 100 feet.

Rule 11: Main Line Advances and Refunds Policy

Each new customer requesting a main line extension shall advance the utility the cost-base amount necessary to extend the main line to provide service.

The utility may require advance payment for expenses to prepare design and cost estimates for property development plans, speculative main extension inquiries, or for additional design and cost estimates requested by the developer/customer. Upon completion of the design and cost estimates, if the total engineering expenses are less than charged, the overcharge shall be refunded. If the total engineering expenses are more than charged, the customer shall pay the undercharge.

The design and cost estimates shall be based on the complete and approved property development plans submitted by the developer/customer. Plans submitted shall include grade information, streets and sidewalk areas, sewer, landscaping, any available locations of other utility services, and an estimate of water service requirements, including fire flow requirements. If the developer-customer changes any plans and constructs the development in a manner other than originally stated, the developer/customer may be billed for any additional cost incurred by the utility.

The utility shall specify size, character, and location of pipes and appurtenances and all construction work shall conform to recognized standards of the water utility industry.

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For a period of 5 years after construction of the requested main line extension, the utility shall also collect from any additional applicants whose service connections or service lines shall connect to said main line extension an amount per foot equal to the new applicant's proportionate share of the main line extension cost for that portion used. The utility will then refund the share differential amount to those customers who previously shared the cost of said main line extension. Refunds shall not exceed the amount originally advanced. No part of the distribution system installed prior to the request for a main line extension shall be used to calculate any customer advance or refund.

Rule 12: Types of Use

Water service may be supplied for residential, commercial, irrigation, temporary construction, special contracts, fire prevention, and other uses. The utility shall file separate rate schedules for each type of use and basis of supply.

Rule 13: Multiple Residences

An apartment building, mobile home park, motel, trailer camp, duplex, townhouse, or any other property consisting of more than one residential unit, if served through one service line, shall be considered to be equivalent to the number of dwelling units when determining the customer count.

Rule 14: Utility Access to Private Property (OAR 860-036-0120(3)(b) and OAR 860-036-0205(3))

Customers shall provide access during reasonable hours to utility-owned service lines that extend onto the premises of the customer for the purposes of reading meters, maintenance, inspections, or removal of utility property at the time service is to be discontinued. Where the customer does not cooperate in providing reasonable access to the meter or to the premises, as required by law or to determine if a health or safety hazard exists, it is grounds for disconnection. The utility may inspect all adjoining property and improvements that the customer or property owner or their associates has an interest in. This inspection will be permitted to allow the utility to determine if there is an unauthorized use of water, or if a cross connection exists.

Rule 15: Restriction on Entering a Customer Residence (OAR 860-036-0085)

No utility employee shall enter the residence of its customers without proper authorization except in an emergency when life or property is endangered.

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REFUSAL OF SERVICE

Rule 16: Refusal of Service Due to Customer Accounts (OAR 860-036-0080(1-3))

The utility may refuse to serve an applicant until receipt of full payment of overdue amounts, or other obligations related to a prior account of the applicant with the utility, when the following circumstances exist:

- A. An overdue amount remains outstanding by a customer at the service address;
- B. The applicant resided at the service address indicated in (A) during the time the overdue charges were incurred; and
- C. The person indicated in (A) will reside at the location to be served under the new application. (OAR 860-036-0080)

If service is refused under this rule, the utility shall inform the applicant or customer of the reasons for the refusal and of the Commission's dispute resolution process. Service shall not be refused for matters not related to water service. Residential service shall not be refused due to obligations connected with non-residential service.

Rule 17: Refusal of Service Due to Utility Facilities (OAR 860-036-0080(7))

The utility shall not accept an application for service or materially change service to a customer if the utility does not have adequate facilities or water resources to render the service applied for, or if the desired service is of a character that is likely to unfavorably affect reasonable service to other customers.

For refusal of service under this rule, the utility shall provide a written letter of refusal to the applicant informing applicant that the details upon which the utility's decision was based may be requested. A copy of such notice will be sent to the Commission. The details will include, but not be limited to:

- A. Current capacity and load measured in gallons or cubic feet per minute;
- B. Current capacity and load measured in pounds per square inch;
- C. Cost to the utility for additional capacity in order to provide the additional service; and
- D. Information regarding the appeal process of the utility's refusal to provide service is available through the Commission's dispute resolution process pursuant to OAR 860-036-0025.

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Rule 18: Refusal of Service Due to Customer Facilities (OAR 860-036-0080(4-6))

The utility shall refuse service to an applicant or customer whose facilities do not comply with applicable plumbing codes or, if in the best judgment of the utility, are of such a character that safe and satisfactory service cannot be given.

If service is refused under this rule, the utility will provide written notification to the customer within 10 working days stating the reason(s) for refusal and providing information regarding the Commission's complaint process. A copy of the notification will also be sent to the Commission.

METERS

Rule 19: Utility Meters (OAR 860-036-0105)

The utility shall own, maintain, and operate all meters. Meters placed in service shall be adequate in size and design for the type of service, set at convenient locations, accessible to the utility, subject to the utility's control, and placed in a meter box or vault between the street curb and property line. Each meter box or vault shall be provided with a suitable cover. The meter cost shall be included in the service connection fee listed in the utility's Miscellaneous Service Charges Schedule.

Where additional meters are furnished by the utility or relocated for the convenience of the customer, the customer will be charged the cost of the meter / meter installation.

The utility shall have the right to set meters or other devices for the detection and prevention of fraud or waste without notice to the customer.

Each customer shall provide the utility with regular access to the meter on the customer's property. Failure to permit access at reasonable times and after reasonable notice by the utility requesting access is grounds for disconnection. (OAR 860-036-0120) Should damage result to the meter from molesting, tampering, or willful neglect on the part of the customer, the utility shall repair or replace the meter and may bill the customer for the reasonable cost. (OAR 860-036-0105(6))

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Rule 20: Meter Testing (OAR 860-036-0110)

The meter shall be tested prior to or within 30 days of installation to determine it is accurate to register not more than 2 percent error. No meter shall be allowed to remain in service if it registers an error in excess of 2 percent under normal operating conditions. The utility shall maintain a record of all meter tests and results. Meter test result records shall include:

- A. Information necessary to identify the meter;
- B. Reason for making the test;
- C. Date of test;
- D. Method of testing;
- E. Meter readings;
- F. Test results; and
- G. Any other information required to permit convenient checking of methods employed.

Rule 21: Customer-Requested Meter Test (OAR 860-036-0115)

A customer may request that the utility test the service meter. Such test shall be made within 20 working days of the receipt of such request at no cost to the customer. The customer has the right to be present during said test, which is to be scheduled at a mutually agreeable time. A written report shall be provided to the customer stating:

- A. Customer's name;
- B. Date of the customer's request;
- C. Address at which the meter has been installed;
- D. Meter identification number;
- E. Date of actual test; and
- F. Test results.

If a customer requests a meter test more often than once in any 12-month period, the deposit listed on the Miscellaneous Service Charges Schedule may be required to recover the cost of the test. If the meter is found to register more than 2 percent fast under conditions of normal operation, the utility shall refund the deposit to the customer.

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BILLING

Rule 22: Billing Information/Late-Payment Charge (OAR 860-036-0120, OAR 860-036-0125 and OAR 860-036-0130)

Bills are due and payable when rendered by deposit in the mail or other reasonable means of delivery. As near as practical, meters shall be read at **monthly intervals** on the corresponding day of each meter reading or billing period. The bill shall be rendered immediately thereafter. OAR 860-036-0120(3) requires water utilities to bill at monthly intervals. A utility may request upon application special authority by the Commission to bill at intervals other than monthly.

The utility shall make reasonable efforts to prepare opening and closing bills from actual meter readings. When there is good reason for doing so, estimated bills may be submitted. Any estimated billings shall be clearly designated as such.

The late-payment charge determined by the Commission and listed on the Miscellaneous Service Charges Schedule shall be applied to all overdue balances at the time of preparing the subsequent months' bill or balances owing that are 30 days old.

All bills become delinquent if not paid within 15 days of the date of transmittal of the bill. OAR 860-036-0125 requires a minimum of 15 days. If permitted to become delinquent, water service may be terminated after proper notice as provided in Rule 29, Reconnection Charge/Disconnection Visit Charge.

All water service bills shall show:

- A. Beginning and ending meter readings for the billing period;
- B. Beginning and ending dates of the period of service to which the bill applies;
- C. For all metered bills, beginning and ending meter readings for the period for which the bill is rendered;
- D. Number of units of service supplied stated in gallons or cubic feet;
- E. Schedule number under which the bill was computed;
- F. Delinquent date of the bill;
- G. Total amount due; and
- H. Any other information necessary for the computation of the bill.

Rule 23: Returned-Check Charge

The returned-check charge listed on the Miscellaneous Service Charges Schedule shall be billed for each occasion a customer submits a check for payment that is not honored, for any reason, by a bank or other financial institution.

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Rule 24: Prorating of Bills

Initial and final bills will be prorated according to the number of days service was rendered and on the basis of a 30-day month. For metered services, the meter will be read upon opening and closing a customer's account. Consumption will be charged at scheduled rates. Any minimum monthly charge will be prorated.

Rule 25: Adjustment of Bills (860-036-0135)

When an underbilling or overbilling occurs, the utility shall provide written notice to the customer detailing the circumstances, period of time, and the amount of the adjustment. If it can be shown that the error was due to an identifiable cause, the date of which can be fixed, the overcharge or undercharge shall be computed back to such date. If no date can be fixed, the utility shall refund the overcharge or re-bill the undercharge for no more than 6 months' usage. In no event shall an overbilling or underbilling be for more than three years' usage. No billing adjustment shall be required if a meter registers less than 2 percent error under conditions of normal operation.

When a customer is required to repay an underbilling, the customer shall be entitled to enter into a time-payment agreement without regard to whether the customer already participates in such an agreement. If the customer and the utility cannot agree upon payment terms, the Commission shall establish terms and conditions to govern the repayment obligation. The utility shall provide written notice advising the customer of the opportunity to enter into a time-payment agreement and of the Commission's complaint process.

DISCONNECTION OF WATER SERVICE

Rule 26: Voluntary Discontinuance (OAR 860-036-0210)

Except for emergencies, customers who (for any reason) wish to have service discontinued shall provide the utility with at least 5 days' advance notice of the requested date of discontinuance of service. Until the utility receives such notice, the customer shall be held responsible for all service rendered. Should the customer wish to recommence service within 12 months at the same premises, the customer will be required to pay the customary minimum monthly charge as if service had been continuous. The reconnection charge listed on the Miscellaneous Service Charges Schedule will be applicable at the time of reconnection.

If the service has been voluntarily disconnected for a period of 15 months or more, the utility may choose to remove the meter service. Before meter service is removed, the customer shall be notified that the customer may choose to recommence service or have the meter removed. If the meter is removed, a new meter installation charge must be paid to have the meter re-installed and service recommenced.

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Rule 27: Emergency Disconnection (OAR 860-036-0215)

The utility may terminate service in emergencies when life or property is endangered without following the procedures set forth in OAR 860-036-0245. Immediately thereafter, the utility will notify the customer and the Commission. When the emergency termination was through no fault of the customer, there shall be no charge made for restoration of service.

Rule 28: Disconnection of Water Service Charge for Cause (OAR 860-036-0205 and 0245)

When a customer fails to comply with the utility's rules and regulations, or permits a bill or charge for regulated services to become delinquent (except for nonpayment of a time-payment agreement), the utility shall give at least five days' written notice before water may be shut off. The notice shall state:

- A. The reason(s) for the proposed disconnection;
- B. The earliest date for disconnection;
- C. The amount to be paid to avoid disconnection;
- D. An explanation of the time-payment provision of OAR 860-036-0125;
- E. Information regarding the Commission's dispute resolution process; and
- F. The Commission's Consumer Services toll-free number, 1-800-522-2404.

Prior to disconnection on the day that the water utility expects to disconnect service, the utility must make a good-faith effort to physically contact the customer to be disconnected or an adult at the customer's premise to be disconnected to advise the customer or adult of the proposed disconnection. If contact is not made, the utility shall leave a notice in a conspicuous place at the customer's premise informing the customer that service has been or is about to be disconnected. The utility shall document its efforts to provide notice and make that documentation available to the customer upon request.

Service shall not be shut off for non-emergencies on a Friday or the day of a state- or utility-recognized holiday or the day prior to such holiday. (OAR 860-036-0220)

The utility shall not disconnect residential service due to the failure to pay or meet obligations associated with nonresidential service. (OAR 860-036-0225)

The utility may not disconnect residential service for non-payment if a customer enters into a written time-payment plan. The utility will offer such customers a choice of payment agreements between a levelized-payment plan and an equal-pay arrearage plan or some other mutually agreeable alternate payment arrangement agreed to in writing. (OAR 860-036-0125)

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*When a customer fails to comply with the terms of a written time-payment agreement between the customer, and/or the utility permits a time-payment agreement charge to become delinquent, the utility shall give at least 15 days' written notice before the water may be shut off.

Rule 29: Reconnection Charge / Disconnection Visit Charge (OAR 860-036-0080 and 0245(7))

The utility may charge a fee in an amount approved by the Commission, and identified in the utility's tariff, whenever the utility is required to visit a residential service address in order to serve a disconnection notice. (OAR 860-036-0245(8))

When a water utility service is disconnected pursuant to OAR 860-036-0245 or 860-036-0250, the utility may charge the reconnection fee in its tariff or in its statement of rates. (OAR 860-036-0240)

Service shall not be restored until the customer complies with the utility's rules and regulations and/or payment is made of any overdue obligation of an Oregon tariffed charge and any additional disconnection, reconnection, or field visit charges incurred as listed on the Miscellaneous Service Charges Schedule are paid.

Rule 30: Unauthorized Restoration of Service

After the water has been disconnected or shut off at the curb stop or at the meter, if any person not authorized by the utility should turn it on, the water service line may be disconnected without notice. Service shall not be reconnected until all arrearages, all cost-of-service disconnection and reconnection, and the reconnection charge listed on the Miscellaneous Service Charges Schedule are paid in full.

Rule 31: Unauthorized Use

No person shall be allowed to make connection to the utility mains, or to make any alteration to service connections, or to turn a curb stop off or on to any premises, without written permission of the utility. Meter tampering, diverting service, or any other unauthorized use of service will automatically cause a disconnection of the water service and meter removal. All fees, costs of disconnection and reconnection, past-due billings, and service charges listed on the Miscellaneous Service Charges Schedule must be paid in full before any service is restored. An advance deposit for restoration of service may be required.

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Rule 32: Interruption of Service (OAR 860-036-0075)

The utility shall have the right to shut off the water supply temporarily for repairs and other necessary purposes. The utility shall use all reasonable and practicable measures to notify affected customers in advance of such discontinuance of service except in the case of emergency repairs. The utility shall not be liable for any inconvenience suffered by the customer or damage to the customer's property arising from such discontinuance of service.

The utility shall keep a record of all service interruptions affecting its whole system or a major section thereof, including the time and date of interruption, duration, and cause or purpose of interruption.

Rule 33: Water Supply/Usage Restrictions (OAR 860-036-0325)

The utility shall exercise due diligence to furnish a continuous and adequate supply of water to its customers. If water restrictions are necessary to equitably apportion its available water supply among its customers with due regard to public health and safety, the utility shall provide written notification to its customers and the Commission including:

- A. Reason for the restriction;
- B. Nature and extent of the restriction;
- C. Effective date of the restriction; and
- D. Probable date of termination of such restriction.

Rule 34: Damages/Tampering

Should damage result to any of the utility's property from molesting or willful neglect by the customer to a meter or meter box located in the customer's building, the utility will repair or replace such equipment and will bill the customer for the costs incurred.

SERVICE QUALITY

Rule 35: System Maintenance (OAR 860-036-0305)

The utility shall have and maintain its entire plant, distribution system, and hydrants in such condition that it will furnish safe, adequate, and reasonable continuous service. The utility shall inspect its facilities in such manner and with such frequency as may be necessary to ensure a reasonably complete knowledge of its condition and adequacy at all times. The utility shall keep such records of all routine maintenance as considered necessary for the proper maintenance of its system, including regular flushing schedules, exercising of valves, and valve inspections.

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Rule 36: Trouble Call

The trouble-call charge listed on the Miscellaneous Service Charges Schedule may be billed whenever a customer requests that the utility visit the customer's premises to remedy a service problem and the problem is due to the customer's facilities.

Rule 37: Water Purity (OAR 860-036-0310)

The utility shall deliver water for domestic purposes free from bodily injurious physical elements and disease-producing bacteria and shall cause such tests to be made and precautions taken as will ensure the constant purity of its supply. The utility shall keep a record of all water quality tests, results, monitoring, and reports.

The utility shall deliver domestic water that is reasonably free from elements that cause physical damage to customer property such as pipes, valves, appliances, and personal property. A water supply that causes such damage will be remedied until the conditions are such as to not reasonably justify the necessary investment.

Rule 38: Water Pressure (OAR 860-036-0315)

The utility shall maintain pressure at a minimum of 20 pounds per square inch (psi) for health reasons to each customer at all times and not exceed a maximum of 125 psi. The 20 psi and 125 psi standards are not presumed to be adequate service and do not restrict the authority of the Commission to require improvements where water pressure or flow is inadequate.

In general, 40 psi of water pressure in the water mains is usually adequate for the purposes of this rule. Adequate pressure may vary depending on each individual water system and its customers' circumstances. In the case of a dispute, the Commission will determine the appropriate water pressure for the water utility.

Rule 39: Pressure Surveys (OAR 860-036-0320)

The utility shall have a permanently placed pressure gauge located on a main that is representative of the system's pressure. A portable gauge in good working condition shall be available for checking pressure conditions in any part of the distribution area.

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Rule 40: Customer-Requested Pressure Test (OAR 860-036-0320)

Upon customer request, the utility will perform a water pressure test within 20 working days of the request at no cost to the customer. If the customer requests more than one pressure test within any 12-month period, a deposit to recover the reasonable cost of the additional test may be required of the customer. The deposit shall be returned if the pressure test indicates less than 20 psi or more than 125 psi. The customer or designated representative has the right to be present at the pressure test, and said test shall be conducted at a mutually agreeable time.

For metered service, the pressure will be tested at a point adjacent to the meter on the customer's service line. For non-metered service, the pressure will be tested at the customer's service line or hose bibb or other reasonable point likely to best reflect the actual service pressure.

Rule 41: Maps/Records (OAR 860-036-0335)

The utility shall keep on file current maps and records of the entire plant showing size, location, character, and date of installation of major plant items, including shut-off valves.

Rule 42: Utility Line Location (One Call Program) (OAR 860-036-0345)

The utility and its customers will comply with the requirements of OAR 952-001-0010 through and including OAR 952-001-0090 (One Call Program) regarding identification and notification of underground facilities.

Rule 43: Cross Connection / Backflow Prevention Program

The utility will keep on file its current cross connection control program as required by the Oregon Health Authority. The utility is responsible to determine what constitutes a cross connection hazard and what type of backflow prevention assembly is required to remedy that hazard. The utility shall apply this standard to all customers nondiscriminatory. To require a customer to install and test a backflow prevention assembly, the utility must first notify the customer in writing, identifying the cross connection hazard and the type of backflow prevention assembly required. The utility shall inform the customer that he/she is entitled to choose any qualified person to install and/or test the backflow prevention assembly and must provide the customer with a current list of certified backflow prevention assembly testers in the general area. The utility (if certified) may offer its own installation and testing services to the customer; however, the utility shall inform the customer that he/she is not obligated in any way to use the utility's services. When a backflow prevention assembly is required by the utility, the customer is responsible for its installation annual testing by a certified tester. Failure to install and/or test a required backflow prevention assembly is grounds for disconnection. The utility shall keep a record of all backflow prevention assembly installations and tests.

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