

**TOWN OF HOWLAND WATER DEPARTMENT  
TERMS AND CONDITIONS**

**Second Revision**

**Office Staff Hours: 8:00 a.m. - 4:00 p.m., Monday – Friday**

**Field Staff Hours: 8:00 a.m. - 3:30 p.m., Monday – Friday**

**Telephone: 207-732-3513**

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EFFECTIVE:

DOCKET NUMBERS:

  
**David Lloyd, Town Manager**

**DOCKET NO: 2020-00302  
EFFECTIVE: 3/1/2021**

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The following Terms and Conditions made by the Town of Howland Water Department and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the Utility. 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 "Commission" refers to the Maine Public Utilities Commission. The word "Utility" refers to the Town of Howland 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 Line.

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

1. **UTILITY SERVICE AREA.** The Town of Howland was incorporated by 1826 Private and Special Law, Chapter 388, approved February 10, 1826, and the inhabitants were vested with all the powers, privileges and immunities as those of other Towns within the State. The Water Department is permitted to serve within the boundaries of the Town of Howland and the inhabitants therein.

2. **APPLICATION FOR SERVICE.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, 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 Utility. If seasonal rental property, only the property owner may be an applicant for service. Any tenant may become a Customer 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 11 below. 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.

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, if in effect, or of annual rates, if seasonal rates are not in effect.

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**4. BILLING PROCEDURES.** Minimum meter charges for annual and seasonal metered service shall be billed quarterly in advance and water used in excess of the minimum shall be billed quarterly in arrears. The Utility reserves the right to render bills for metered service monthly in arrears or advance, if it so desires. In addition, the Utility reserves the right to bill minimum meter charges for seasonal service immediately after the meter is set for the season, and water used in excess of the minimum immediately after the final reading for the season, if deemed preferable.

Public fire protection charges will be billed in advance each year on an annual basis. The Utility reserves the right to bill fire protection charges quarterly or monthly in advance if it so desires.

Bills may be paid by any Utility-approved payment method, including but not limited to by mail or in person, and must be received at the offices 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.

**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 Utility 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 30 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.

**7. CHARGE FOR RETURNED CHECKS.** As provided in Chapter 870 of the Commission's Rules and Regulations, the Utility may charge the greater of \$5.00 per account to which the check is applied or the amount the bank charges the Utility, not to exceed \$15.00 for each check returned by a bank. If the Utility charges more than \$5.00, the Utility shall furnish the customer with proof of the bank charge.

**8. CHARGES FOR ESTABLISHMENT OF SERVICE.** The Utility will charge \$10.00 to establish water service if it is not necessary for the Utility to visit the premises to connect the service. If it is necessary for the Utility to visit the premises to connect the service, the Utility will charge \$39.00 during the normal business hours of 8:00 a.m. to 3:30 p.m., Monday through Friday. During holidays and other than normal business hours, the charge will be \$100.00.

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**9. CHARGES FOR RESTORATION/RECONNECTION OF SERVICE.** The Utility will charge a Customer a reconnection fee for 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. See Section 31. The charge will be \$39.00 during the normal business hours of 8:00 a.m. to 3:30 p.m., Monday through Friday. During holidays and other than normal business hours, the charge will be \$100.00.

**10. COLLECTION TRIP FEE.** If Utility 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 Utility will charge a collection fee of \$30.00, as permitted in Chapter 660 of the Commission's Rules and Regulations. } C

**11. DISCONNECTION OF LEASED OR RENTED PROPERTY.** Before disconnecting a leased or rented residential property, the Utility 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.

**Leased or Rented Single-meter, Multi-unit Residential Property:** Pursuant to Chapter 660, in addition to the above, before disconnecting a leased or rented single-meter, multi-unit residential property, the Utility shall:

- a. Apply any existing deposit to the current account balance, and
- b. Assess, against the landlord, a collection fee of \$95.00 in addition to any applicable reconnection fee set forth in Section 9 of these Terms and Conditions.


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

**12. CHARGES FOR REMOVAL OF SNOW, ICE, OR OTHER OBSTACLES DURING DISCONNECTIONS REQUESTED BY THE CUSTOMER.** The Customer will be responsible for clearing snow, ice, or any obstacles to the shut-off valve and/or meter when requesting a disconnection. If the Customer does not fulfill this responsibility and the Utility must clear the area to perform the requested disconnection, the Utility will charge the Customer at the following rates per trip: \$39.00 per man-hour during the normal business hours of 8:00 a.m. to 3:30 p.m., Monday through Friday. During holidays and outside normal business hours, the charge will be \$50.00 per man-hour with a two-hour minimum of \$100.00 per man. In all cases, the Customer will be billed for the cost of equipment rental, if applicable. If the disconnection request relates to a trip for the repair or replacement of a damaged meter, the equipment fees and total labor hours incurred for removal services in this section will be combined with the totals in Section 270 and calculated together.

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### **13. DISCONNECTION PROCESS FOR OVERDUE COMBINED WATER AND SEWER BALANCES.**

Pursuant to Title 35-A MRSA §6111-C and Chapter 660 of the Commission's Rules and Regulations (Chapter 660), the Utility may disconnect water service to Customers receiving sewer service for non-payment of an undisputed balance, if the Total Amount Overdue is more than \$100.00 or over ninety days old, or if the Utility bills 4 times a year or less, unless the limitation in Section 13.5 is applicable.

#### **13.1 Definitions.**

**Total Account Balance** means the total water and sewer amount owed by a Customer that has been properly billed.

**Total Amount Overdue** means the total water and sewer amount billed to a Customer that has not been paid by the due date of the bill or by a date otherwise agreed upon by the Utility and the Customer. Disputed amounts and fees and charges for estimated sewer service usage will not be included in the Total Amount Overdue.

**13.2 Billing.** Bills for the Utility shall be issued in accordance with Chapter 660 and with Section 4 of these Terms and Conditions.

**13.3 Disconnection and Reconnection.** A 14 day disconnection notice shall be issued when a Customer does not pay or make a payment arrangement on an undisputed balance, and the Total Amount Overdue is consistent with the requirement in Chapter 660.

**13.4 Collection Action.** Subsequent collection actions, including disconnection and reconnection, shall be in accordance with Chapter 660 and with these Terms and Conditions.

**13.5 Limitation for Multiunit Rental Facilities of Greater than Two Units.** Pursuant to 35-A MRSA §6111-C, the Utility may not disconnect water service for non-payment of sewer service to a multiunit rental facility greater than two units, unless the owner of the facility occupies a unit that would be subject to the disconnection, or unless the Utility has a Charter provision enacted prior to August 1, 2010, establishing the authority for such disconnection.

**13.6 Payment Allocation.** Pursuant to Chapter 660, when a Utility receives a partial payment, the Utility must first apply the payment to the oldest basic service balance due, no matter if water or sewer, unless instructions from the Customer, a disputed bill, or a payment arrangement requires otherwise. After all basic service balances due have been paid, unused payment amounts may be applied to non-basic service, unless otherwise stipulated.

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13.7 Payment Arrangement. The Utility shall continue to serve a Customer who cannot pay the Total Account Balance, provided satisfactory payment arrangements are made in accordance with Chapter 660 and with these Terms and Conditions.

13.8 Dispute Resolution. The Utility shall resolve disputes, if applicable, in accordance with Chapter 660.

13.9 Annual Filings. The Utility shall annually file a disconnection report with the Commission as specified in Title 35-A MRSA §6111-C and in Chapter 660.

13.10 Assistance Programs. Pursuant to Title 35-A MRSA §6111-C and to Chapter 660, the Utility shall provide financial assistance information to Customers who are in imminent threat of disconnection, including but not limited to 2-1-1, the Department of Health and Human Services, the Community Action Agencies, and local Town or City Government.

**14. SERVICE INTERRUPTION.** As specified in Chapter 660 of the Commission's Rules and Regulations, the Utility will provide reasonable notice of any planned shut-off 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 twenty-four hours in advance of the interruption of service.

The Utility 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 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 due to negligence or improper care of equipment by the Customer.

**15. UNAUTHORIZED USE OF WATER.** No Customer shall supply water to another nor use it for any purposes not mentioned in his/her application without Utility approval. No Customer or his agent shall obtain water from any hydrant or other fixture of the Utility without the previous consent of the Utility. No Customer or his agent shall bypass any meter, nor restore service without Utility authorization, nor unreasonably interfere with Utility 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 Utility 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 Utility's approved rates, plus interest at an annual rate of 5%. Where the unauthorized use of

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**15. UNAUTHORIZED USE OF WATER (continued).**

water has occurred, the Utility may also assess the Customer or responsible person a fee of **\$39.00** 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 **\$50.00** per hour with a minimum two-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 Utility for all other reasonable costs to the Utility, 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 twenty five hundred dollars (\$2,500.00), due and payable to the Utility for each violation.

**16. NO TAMPERING WITH UTILITY PROPERTY.** No person may tamper with Utility property. No valve, valve sealing mechanism, meter, shutoff, hydrant or standpipe that is the property of the Utility shall be opened or closed or otherwise operated, modified, or removed by other than persons authorized by the Utility. 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.

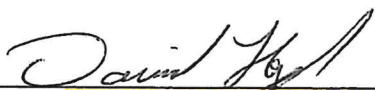
**17. MAINTENANCE OF PLUMBING.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, a Customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing or from heat damage. If damage does occur, the Customer is liable for any expenses incurred. A leak or break that is considered a threat to the Utility 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 Utility 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 fourteen-day disconnection notice, pursuant to Chapter 660.

**18. 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 Utility 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 Utility will decide what constitutes waste and improper usage to protect the health and safety of the water system.

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**19. ACCESS TO PREMISES.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, as a condition of service, Customers shall provide access for Utility employees with proper identification 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.

**20. LIABILITY.** The Utility 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 Utility 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 Utility for any particular purpose.

**21. 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.

**22. 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 and the Maine Internal Plumbing Code. No new cross connection may be installed without the express, written approval of the Utility. In addition, 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 break or properly protect the connection within a time limit specified by the Utility, the Utility may disconnect the service according to Chapter 660 of the Commission's Rules and Regulations. The Utility's Cross Connection Control Program is on file at the Utility office.

**23. BACKFLOW-PREVENTION DEVICE TESTING.** Customers with testable backflow devices are responsible for completing device testing according to the Utility schedule, available in the Utility 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 Utility 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 Utility's Cross Connection Control Program and to Chapter 660 of the Commission's Rules and Regulations.

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**24. 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 Utility's pressure or water quality without prior Utility written permission.

**25. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES.** 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.

**26. JOINT USE OF SERVICE PIPE TRENCH.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, 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 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.

**27. METERING, NEW SERVICE LINE, AND MAIN EXTENSION POLICIES.**

A. **Separate Metering of Buildings or Mobile Homes.** No Customer shall supply water to another, nor use it for purposes not mentioned in his/her application without prior written Utility approval. At its discretion, the Utility reserves the right to require separate piping and a separate meter and shut-off for each building or mobile home as a condition of service.

B. **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 Utility may require the owner to arrange the plumbing to permit separate connections with shutoffs and meters in locations acceptable to the Utility for each place of business or abode. In the case of a condominium, each unit owner may be required to have a separate meter and shutoff in locations acceptable to the Utility.

C. **Submetering.** Additional or auxiliary meters for showing subdivision of water use must be furnished, installed, read and maintained at the Customer's own expense.

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27. METERING, NEW SERVICE LINE, AND MAIN EXTENSION POLICIES (continued).

**D. 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 Utility may charge a Customer for costs incurred for the repair or replacement of meter(s) or other Utility equipment damaged due to Customer negligence or improper care. During the normal business hours of 8:00 a.m. to 3:30 p.m., Monday through Friday, the charge will be \$39.00 per man-hour with a minimum charge of one hour; during holidays and outside normal business hours, the charge will be **\$50.00** per man-hour with a two-hour minimum of **\$100.00** per man. In all cases, the Customer will be charged for the cost of the necessary replacement parts, including the meter. As specified in Section 12 of these Terms and Conditions, if snow, ice or other obstacles must be removed to complete the requested repair, total hours and equipment fees for the removal service will be added to the totals for this section and calculated together.

**E. Meter Pits.** As permitted in Chapter 620 of the Commission's Rules and Regulations, the Utility reserves the right to require a meter pit at the Customer's expense if the Customer does not provide a clean, dry, accessible, and appropriately heated location for the meter and its appurtenances.

The Customer will select a Utility-approved contractor for the installation, excluding for the meter and meter horn, which will be provided and installed by the Utility at no cost to the Customer. If the Utility is selected as contractor, the work will be done as jobbing, as detailed in Section 28 of these Terms and Conditions. All work and materials must comply with the Utility's approved standards and specifications, available in the Utility office.

The Utility 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. If a follow-up inspection is required due to inadequate preparation by the Customer or contractor, or lack of adherence to the specifications, the Customer **will** be responsible for the cost of the extra visit(s) at a flat rate of **\$39.00** per inspection. The Customer must pay all inspection charges for this installation as a condition of service.

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27. METERING, NEW SERVICE LINE, AND MAIN EXTENSION POLICIES (continued).

F. Meter Testing. The Utility will test its water meters according to the schedule and standards in Chapter 620 of the Commission's Rules and Regulations. Upon Customer request, the Utility will test the Customer's water meter at no charge in the presence of the Customer or representative, unless the Customer requests more than one test in an 18-month period. If the Customer requests a test more frequently, the Utility may require the Customer to pay a deposit 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 Utility will adjust the Customer's bill according to the provisions of Chapter 620. If the meter conforms to standards, the Utility may keep the Customer's deposit and continue to use the meter at the Customer's premises.

G. Winter Construction. No new service or extension of Mains will be installed for the convenience of a Customer during winter conditions that increases the cost of the work for the Utility, unless the Customer assumes all extra expense over ordinary construction costs.

H. New Service lines and Meter. Each new Service Line will be installed, owned, and maintained in compliance with Chapters 620 and 650 of the Commission's Rules and Regulations. The utility has voted not to invest in main extension and service lines as specified in State Statute 6106. ST

The Customer will be responsible for obtaining the Utility's written approval for the work and for contracting with a Utility-approved professional for the installation from the curb stop into the building, excluding the meter and meter horn. All costs for contractor work will be paid directly from the Customer to the contractor. If the Customer selects the Utility to be the contractor for the Customer's portion of the Service Pipe, this work will be completed as jobbing, as described in Section 28 of these Terms and Conditions.

The Utility is responsible for performing the tap into the water main. The Customer is responsible for providing the corporation to complete the tap and for installation of the service line from the tap into the premises to be served, including the curb stop. At its discretion, the Utility may subcontract out any portion of the installation. The work must be done during regular business hours of 8:00 a.m. to 3:30 p.m. Monday thru Friday. } c

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27. **METERING, NEW SERVICE LINE, AND MAIN EXTENSION POLICIES (continued).**

From the **curb stop** to the building, the service pipe shall be installed, owned and maintained by the customer. The customer owned portion of the service pipe must be installed per the utility's standards and specifications and only after approval of the utility is obtained. Only Utility approved materials may be used. The service pipe on private property shall be adequately sized according to Water Department standards and rated to withstand a minimum of 150 pounds per square inch of working pressure. }

- I. **Extensions of Mains.** All water Main extensions shall be installed, owned, and maintained in accordance with Chapter 650 of the Commission's Rules and Regulations {Chapter 650}. The applicant must complete a written application for the work. The Utility reserves the right to preapprove the design, and requires that the plan be submitted two weeks prior to the desired approval date.

An estimate of applicant costs will be completed by the Utility, and if the applicant wishes to proceed, a written contract will be executed. Utility and applicant investments will be calculated and a deposit paid as specified in Chapter 650. A final reconciliation of the job costs will be done upon completion, and if applicable, the Utility will return any excess deposit at that time. If the actual cost exceeds the deposit, the applicant must pay the additional amount, as per the written agreement between the Utility and the applicant.


The applicant will contract the installation with a Utility- approved contractor. The work must be completed to State and local requirements and to Utility work standards and material specifications, which will be provided to the applicant and contractor. In order to manage and inspect the process, a Utility representative will be present intermittently during the installation, at no charge to the applicant. If at any time, the Utility discovers contractor work irregularities or a lack of adherence to the preapproved plan or the standards and specifications, the Utility may stop the installation at the applicant's expense and require the work to be redone.

**28. UTILITY JOBBING.** A Customer must complete a written application before a Utility will provide unregulated Utility service. As permitted in Chapter 620 of the Commission's Rules and Regulations, a 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.

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**29. FIRE HYDRANTS.** Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Utility. In the event of fire extinguishment, the fire department will notify the Utility 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 Utility or a duly authorized representative of the municipality or the owner.

**30. PRIVATE FIRE PROTECTION.** Customers requiring private fire protection must contact the Utility 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 Utility, as specified in Chapter 640 of the Commission's Rules and Regulations. The Utility does not guarantee any quantity of water or pressure available through a fire protection service. The Utility may require the owner, as a condition of service, to perform certain tests from time to time, including but not limited to, determining the adequacy of supply through the fire service. If so required, sufficient notice must be given to the Utility so a representative of the Utility can be present to observe the test. The owner may also be required to perform certain maintenance on the system as a condition of service, in order to be consistent with the health or safety standards of the Utility and the watersystem.

**31. TEMPORARY SHUT-OFF & TURN-ON FEE.** The Utility will charge a Customer a single fee for a requested shut-off and resumption of water service for non-emergency purposes as detailed below.

- Both shut-off and turn-on during normal business hours (8:00 A.M to 3:30 P.M. Monday thru Friday excluding holidays): \$39.00
- Both shut-off and turn-on during after hours or on a holiday: \$100.00
- If shut-off is during regular hours and turn-on is during after hours or if shut-off is during after hours and turn-on is during regular hours: \$85.00

**32. CHARGE TO FLOW TEST HYDRANTS.** The Utility will charge a fee of \$100.00 and \$50.00 for each additional hydrant in the same proximate location, to flow test a private hydrant. The Utility will charge \$100.00 and \$50.00 for each additional hydrant in the same proximate location, to flow test a public hydrant for a customer or contractor if a flow test has been done at the requested location within the past five years of the requested test date. If the most recent flow test for the public hydrant is older than five years, there will be no charge for the requested flow test. Under all circumstances, at the Utility's discretion, the Utility shall have a representative present to observe or conduct the test.

PROPOSED EFFECTIVE: \_\_\_\_\_

EFFECTIVE:

DOCKET NUMBERS:

  
David Lloyd, Town Manager

## TERMS AND CONDITIONS

Town of Howland Water Department

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Second Revision

**33. RIGHT TO LIEN PROPERTY.** Under the provisions of Title 35-A M.R.S.A. § 1208, the Utility shall have the right to place liens on real estate served by the Utility to secure payment of rates established by the Utility under the Rules and Regulations of the Maine Public Utilities Commission.

**34. AVAILABILITY.** Pursuant to Chapter 660 of the Commission's Rules and Regulations, the Utility should provide service to an applicant as soon as possible, but must provide service by the end of the next business day after the request for service is received by the Utility or a deposit and/or unpaid account balance is paid, provided that facilities exist to provide service during that timeframe. These services are available during regular business hours and someone must be on the premises if entry by Utility personnel is required.

**35. WINTER CONSTRUCTION:** Except in the case of an emergency, no new service or extension of mains will be installed for the convenience of a Customer during winter conditions which increases the cost of the work for the Utility, unless the Customer assumes all extra expense over ordinary construction costs.

**36. RETURN TRIP FEE.** The Utility will charge a customer a \$30.00 Return Trip Fee when the customer fails to show up for a scheduled appointment, without just cause, as determined by the Utility. Customers are required to cancel scheduled appointments with the Utility at least one hour in advance to avoid the Return Trip Fee.

**37. TRAILER METERS.** When a new service is installed in a trailer, the meter for that service must be installed inside the trailer. The home owner is responsible for hiring a plumber to install the piping to put the meter in the trailer.

The first time a meter freezes underneath a trailer, the Utility will repair the meter at the trailer owners cost. The second time a meter freezes at the same trailer, the Utility requires the trailer owner to move the meter inside the trailer at the trailer owners cost.

If the trailer is turned off either because it changes hands or the owner requests it to be turned off, when the service is turned back on, the Utility requires that the meter be installed in the trailer at the trailer owners cost.

When a new service is installed, the cost of the meter is borne by the new customer. After that point, the Utility will be responsible for the meter unless it freezes or the customer damages the meter.

PROPOSED EFFECTIVE: \_\_\_\_\_

EFFECTIVE:

DOCKET NUMBERS:

  
David Lloyd, Town Manager



Town of Howland Water  
Department 1%  
Calculation

Gross Water Revenue for 2010

\$215,155.00

Tariffs in T & C

	<u>Estimated Number</u>	<u>Current Rate</u>	<u>New Rate</u>	<u>Difference</u>	<u>Change in Revenue</u>
Charge for Returned Check	10	\$10.00	\$10.00	\$0.00	\$0.00
Disconnections of Single Meter Multi-Unit Housing	0	\$95.00	\$95.00	\$0.00	\$0.00
Establishment of Service - No Visit	0	\$10.00	\$10.00	\$0.00	\$0.00
Establishment of Service - During Business Hours	8	\$39.00	\$39.00	\$0.00	\$0.00
Restoration of Service During Business Hours	13	\$39.00	\$39.00	\$0.00	\$0.00
Restoration of Service Outside Business Hours	0	\$100.00	\$100.00	\$0.00	\$0.00
Collection Trip Fees	6	\$22.00	\$22.00	\$0.00	\$0.00
Removal of Obstacles -Disconnections @ Customer Request (w/ backhoe)	1	\$74.00	\$74.00	\$0.00	\$0.00
Removal of Obstacles-After Hrs@ Customer Request (w/inc backhoe)	0	\$135.00	\$135.00	\$0.00	\$0.00
Repair of Water Meters - During Business Hours (includes meter)	5	\$139.00	\$139.00	\$0.00	\$0.00
Repair of Water Meters - Outside Business Hours (includes meter)	1	\$200.00	\$200.00	\$0.00	\$0.00
Temporary shut off and turn on - normal hours.	2	\$0.00	\$35.00	\$35.00	\$70.00
Temporary shut off and turn on - after hours	0	\$0.00	\$100.00	\$100.00	\$0.00
Temporary shut off and turn on - off on regular hours; on after hours	1	\$0.00	\$85.00	\$85.00	\$85.00
Payment agreement	15	\$0.00	\$25.00	\$25.00	\$375.00
Return trip fee	2	\$0.00	\$30.00	\$30.00	\$60.00
Disconnect of rental property	1	\$0.00	\$60.00	\$60.00	\$60.00
Unauthorized Use or No Tampering Fees (one in 3 yrs)	0	\$0.00	\$100.00	\$100.00	\$0.00

Estimated Change In Revenue

\$650.00

Percent: Estimated Change Divided By Gross Water Revenue

0.30%  
(less than 1%)



**Town of Howland Water  
Department Calculation of Terms  
and Conditions Charges**

<u>Temporary Shutoff Within Business Hours</u>	Flat Rate	Return Trip Fee	Flat Rate
Average wages @ \$18.50 per hour x 1 hr		Average wages @ \$18.50 per hour x 3/4 hr	
Field staff hourly payroll taxes and benefits		Field staff hourly payroll taxes and benefits	
Average mileage: 2.0 miles @ .58 per mile		Average mileage: 2.0 miles @ .58 per mile	
<b>Subtotal</b>		<b>Subtotal</b>	
Admin costs @ \$13.50 per hour x 1/4 hr		Admin costs @ \$13.50 per hour x 1/4 hr	
Admin 1/4 hr taxes and benefits		Admin 1/4 hr taxes and benefits	
<b>Total Average Trip during Business Hours:</b>		<b>Total Costs</b>	
<b>Amount Requested for Flat Rate Trip or Hourly</b>		<b>Amount Requested for Trip</b>	

**Note:** Admin costs on Trip Calculations represent time for Customer/Utility coordination; for work order, computer and billing activities; and if applicable, for vendor activities, such as ordering items or processing vendor purchase orders, and invoices

**Disconnection of Rental Property**

Administrative time, including benefits (1.5 hours)  
Field staff time, including benefits (1 hour)  
Average mileage: 2.0 miles @ .58 per mile  
**Total Costs per Trip**  
**Flat Rate Amount Requested**

**Payment Agreement**  
Administrative costs @ \$13.50 x 1.5 hrs.  
Administrative costs 1.5 hrs. tax & benefits  
**Total Cost per Agreement**

**Flat Rate Amount Requested**

**Unauthorized Use or No Tampering Fee**  
Average wages \$18.50 x 2 hrs.  
Field staff payroll taxes & benefits  
Average mileage 2.0 miles @ .58 per mile  
Administrative costs @ \$13.50 per hr. x 2.0 hrs.  
Administrative taxes & benefits  
**Total Average No Tampering Fee**  
**Flat Rate Amount Requested**

<u>Average Trip Outside Business Hours</u>	Average Hourly Calculation
Average wages after hours - 1.5 time	\$27.75
Field staff hourly payroll taxes and benefits	\$15.26
Admin costs @ \$13.50 per hour x 1/4 hr	\$3.38
Admin 1/4 hr taxes and benefits	\$1.86
<b>Subtotal</b>	<b>\$48.25</b>
Double above for 2 hour minimum	48.25
Average mileage: 2.0 miles @ .58 per mile	\$1.16
<b>Total Costs per Trip</b>	<b>\$97.66</b>
<b>Amount Requested for Flat Rate or Min</b>	<b>\$100.00</b>
<b>Amount Requested for each Additional Hour</b>	<b>\$50.00</b>

**Note:** As per personnel policies, employees called out after business Hours are paid a minimum of 2 hours at 1.5 times.