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I. GENERAL

1. SCOPE, APPLICATION AND MEANING OF TERMS

- A. "Account Entry Fee" means a fee applicable to an applicant for permanently Metered Service, said fee being in such amount as determined by the Board.
- B. "Board" means the Board of Public Utilities of the City of Springfield, Missouri.
- C. "City" means the City of Springfield, Missouri.
- D. "City Council" means the City Council of the City of Springfield, Missouri.
- E. "Credit Reconnect Fee" means that fee which is applicable to a Customer requesting reconnection of a Service which has been discontinued due to nonpayment of bills, said fee being in such amount(s) as determined by the Board.
- F. "City Utilities" means the City; the Board; City Utilities of Springfield, Missouri; or a combination of one or more thereof, together with their respective council members, directors, officers, agents and employees.
- G. "Customer" or "Customer of Record" shall cover, include and refer to any person, persons, firm, agency or corporation, irrespective of gender, who may be a customer of or an applicant for service from City Utilities; additionally, in the case of residential units, all tenants named in rental or lease agreements who maintain the served property as a residence shall be considered Customers. Multiple Customers at one location are jointly and severally responsible for services rendered.
- H. "Dwelling Unit" means a single room or group of rooms, occupied or intended for occupancy as separate living quarters, for which there is: (1) direct access from the outside or through a common hall, and (2) cooking, sleeping and sanitary facilities provided within for the exclusive use of the occupants.
- I. "Economic Development" means the ongoing efforts of City Utilities to responsibly attract additional industry and commerce to its service territory, for the purpose of promoting utility operation at the highest practicable standards of efficiency while contributing to the overall improvement of area living standards.
- J. "Electronic Signature" means an electronic sound, symbol or process attached to a contract or other record which is executed or adopted by a person with the intent to sign the record.
- K. "Extension Reimbursement Fee" means that fee which is applicable to an applicant for a new Service connection as a contribution toward the cost of the distribution facilities serving that Customer, said charge being in such amount(s) and subject to such terms and conditions as determined by the Board.



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- L. "Extra Charge" means any amount in excess of the charges calculated based on the Redistribution of charges from City Utilities for rendering a Service to a Multiple Tenancy Premise.
- M. "General Manager" means the General Manager of City Utilities or designee.
- N. "Initial Service Connection Charge" means that charge which is applicable for a new Service connection, or an application for an enlargement of an existing Service connection, said charge being in such amount(s) as determined by the Board.
- O. "Master Meter" means a City Utilities Meter used to measure, for billing purposes, the total amount of electricity, natural gas, or water usage at a Multiple Tenancy Premise, including the combined use from all individually-leased or -owned units and all common areas.
- P. "Meter" means a device or devices to measure and record the quantity of electricity, gas or water supplied to a Customer.
- Q. "Meter Installation" means the facility and related equipment located and arranged to accommodate a given Meter size in accordance with standards approved by the General Manager.
- R. "Multiple Tenancy Premise" means Dwelling Units or establishments consisting of buildings or groups of buildings with more than one tenant under one ownership, such as apartments, condominiums, mobile home parks, shopping centers, business villages, or institutions.
- S. "Notice to City Utilities" when in writing means written notice addressed to: General Manager, City Utilities, P.O. Box 551, 301 E. Central Street, Springfield, Missouri, 65801, and deposited in the United States Mail, postage paid.
- T. "Permanent Service" means a Service provided by facilities other than "Temporary Service Facilities." Permanent Service may be either seasonal, standby or continuous in nature.
- U. "Premise" means a building or a group of buildings on a parcel of land under a single ownership.
- V. "Redistribution" means a calculation which reallocates City Utilities' charges for rendering a Service to a Multiple Tenancy Premise to its tenants. The calculation methodology must be approved by written agreement between the owner (i.e., Customer) and City Utilities in accordance with these Service Rules and Regulations and agreed to by each such tenant in writing.
- W. "Seasonal Service" means a Service used by a Customer for a particular time period each year which is to be subsequently disconnected and where the facilities are not to be removed.



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- X. "Service" means the supplying by City Utilities of electricity, gas, water, public communications, transit or a combination thereof.
 - Y. "Special Services" means miscellaneous Services provided beyond those required by standard practices of City Utilities.
 - Z. "Standby Service" means a Permanent Service used by a Customer for emergency or breakdown situations.
 - AA. "Submeter" means a Meter owned, installed, read and maintained by a party other than City Utilities for the purpose of their own measuring of electricity, natural gas, or water usage in subsections of a Multiple Tenancy Premise.
 - BB. "Temporary Service" means a Service provided by Temporary Service Facilities.
 - CC. "Temporary Service Charge" means a charge applicable to an applicant for Temporary Service, said charge being in such amount(s) as determined by the Board.
 - DD. "Temporary Service Facilities" means facilities to provide a Service for a limited period of time and where the facilities are to be removed at the termination of such Service.
 - EE. Nothing in these Service Rules and Regulations shall be construed to impose or place upon City Utilities any obligation, responsibility or duty to inspect, maintain or repair any wiring, piping, apparatus, appliance or equipment (excepting only such facilities, if any, owned by City Utilities as may be installed on a Customer's Premise) on the Customer's side of the point of delivery.
 - FF. No agent, employee or representative of City Utilities shall have any right or authority to make any promise, commitment or agreement for any Service not authorized by these Service Rules and Regulations.
2. APPLICATIONS AND CONTRACTS
- A. All applicants for any Service shall be subject to all rules and regulations heretofore or hereafter adopted or promulgated by the Board and to all applicable ordinances or provisions thereof of the City which may be now or hereafter in force.
 - B. All applicants for any new Service shall execute in advance of connection such form of service contract as may be acceptable to City Utilities which shall incorporate these Service Rules and Regulations. An Electronic Signature on the service contract is an acceptable method of contract execution. Applications for Service may be executed by phone, email, in person, or by City Utilities' online Customer portal.
 - C. City Utilities will not supply any Permanent Service until:
 - 1. The Customer's application for such Service has been approved by City Utilities;



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2. All necessary permits have been obtained by the Customer;
 3. An inspection has been approved as hereinafter set forth;
 4. City Utilities has found it practicable to render such Service; and
 5. The Customer has agreed to these Service Rules and Regulations.
- D. All Customers desiring Metered Service shall make application for such Service and enter into such contracts or requirements for the Service, including these Service Rules and Regulations, as may from time to time be required by City Utilities. All applications for Metered Service shall be made in the true name of the Customer(s) to receive and use such Service, unless otherwise permitted by City Utilities, and the use of a fictitious name by the prospective Customer shall be sufficient reason for refusal or termination of Service. The Customer shall be the person(s) or legal entity(ies) responsible for payment for the Service, except as otherwise permitted by City Utilities.
- E. City Utilities may refuse to commence any Service to an applicant for failure to comply with the requirements for such Service, including these Service Rules and Regulations. Any change in the identity of the Customer of Record at the Premise shall require a new application for the Service and City Utilities may discontinue the Service until such new application has been made and accepted by City Utilities.
- F. Each application for Permanent Service shall be subject to the payment of the Account Entry Fee.
- G. When it may appear to City Utilities, in the opinion of the General Manager, that any requested Service will be temporary, City Utilities may, at its option, either furnish or decline to furnish such Service. If City Utilities elects to furnish any Temporary Service, the applicant for such Service shall pay to City Utilities, in advance, the Temporary Service Charge. If City Utilities elects to furnish any Service which is seasonal or standby in nature, the applicant shall pay the estimated cost of furnishing such Service. Each connection or reconnection of a Seasonal Service will be subject to the payment of the Account Entry Fee, which is in addition to a reconnect charge of the monthly Customer charge and monthly billing demand applicable for each billing month or part thereof that the disconnection is in effect in accordance with the applicable City Utilities' General Terms and Conditions Governing Electric, Gas and Water Services.



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3. ECONOMIC DEVELOPMENT

City Utilities is committed to the responsible use of Economic Development initiatives which attract additional industry and commerce to our service territory, for the purpose of promoting utility operation at the highest practicable standards of efficiency, while contributing to the overall improvement of area living standards. This commitment facilitates competitive utility rates and promotes the creation of employment opportunities. Additionally, City Utilities will extend (or permit the extension of) its distribution systems in accordance with these Service Rules and Regulations and the Extension Policy adopted by the Board.

The Community Economic Development Electric Rate Rider (Rider D), approved by City Council, supports Economic Development for businesses that demonstrate the ability to meet specified load (kW) and load factor criteria. The maximum combined amount contributed by City Utilities for a distribution extension and/or Economic Development project shall not exceed the requirements provided for in the Community Economic Development Policy approved by the Board.

The Community Economic Development Policy shall, consistent with Rider D and these Service Rules and Regulations, coordinate City Utilities' Economic Development activities, define necessary parameters, establish criteria and limitations for Economic Development projects and incentives, and specify the ability of the General Manager to waive specific provisions and establish which waivers require the approval of the Board or any committee thereof. The methodology and calculation of economic feasibility analysis shall be set forth in the Community Economic Development Policy and, therefore, available to interested members of the public.

4. HOUSE NUMBERS

Permanently-assigned house numbers, where appropriate, shall be obtained before application for any Service is accepted and shall be suitably displayed on the property in a visible location before the Service is installed or the Meter is set. The numbers to be displayed shall be assigned by the Building Regulations Department of the City and shall conform with the City's numbering system. If located outside the City's corporate city limits, each house shall be properly identified as requested by City Utilities. If a house number or identification is changed for any reason, City Utilities shall be notified of such change.

5. SECURITY

A. Before any Metered Service is connected, or at any time thereafter, City Utilities may require of any Customer evidence satisfactory to itself that all bills for such Service rendered or to be rendered will be paid promptly; or in lieu thereof, City Utilities may require any such Customer to maintain with City Utilities a cash deposit or security in such amount(s) as determined by the General Manager, with the deposit amount not to exceed three times the highest bill for one billing period for each Service or an equivalent amount as estimated by City Utilities. Deposits shall not receive interest. City Utilities may discontinue any Service to any Customer who may fail to make or maintain the deposit or security required by City Utilities. All or any portion of the deposit or security by a



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Customer may be applied by City Utilities at any time upon any delinquent or unpaid bill owed by such Customer.

- B. Other security in lieu of cash deposits may be accepted as approved by the General Manager.
- C. Such deposits, as outlined above, shall be refunded at the termination of Service after all charges that may be due and payable by the Customer have been paid or at such earlier times as determined by the General Manager.
- D. A Customer who has made application for Metered Service to a Premise shall be held liable for all such Service furnished to such Premise until such time as the Customer properly notifies City Utilities to discontinue the Service for the account.

6. PAYMENT OF BILLS

- A. All bills for any Service shall be due and payable when mailed or sent electronically. If any bill rendered by City Utilities for such Service is not paid within seventeen (17) calendar days after the date thereof, City Utilities shall have the right to discontinue the Service to such Customer. Additionally, any Customer who fails to pay before the delinquent date may be required to pay the gross bill instead of the net bill for the Service as set forth herein.
- B. If payment for the bill of a Customer for any Service has been processed and posted to that Customer's account by the time the next regular bill for that Customer is rendered, that Customer shall only be charged the net bill, which is the bill actually sent for such Service on a current basis.
- C. If payment for a bill of a Customer for any Service has not been processed and posted to that Customer's account by the time that Customer's next regular bill is rendered, then, and in that event, City Utilities shall have the right to require such Customer to pay the gross bill, which shall be the charges for such Service or other authorized charges during the applicable periods plus an amount not to exceed ten percent (10%) thereof, said percentage to be determined by the Board. This gross billing shall be reflected on such Customer's next regular bill. (See Customer Service Fees Policy.) Gross billing computation includes a late payment percentage assessed on any outstanding balance at time of the next billing.
- D. In the event a Customer, who has been charged a gross bill, fails to pay the additional amount referenced above, City Utilities shall have the right to disconnect all Services to such Customer.
- E. When any Service is disconnected due to nonpayment of a bill or other violation of these Service Rules and Regulations, the Service will not be reconnected until the situation requiring such action has been corrected to the satisfaction of City Utilities. When any Service is discontinued due to nonpayment of a bill or the gross bill for such Service, including the additional amount referenced above, or due to the failure of a Customer to



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post a required security deposit, a Credit Reconnect Fee will be assessed for such reconnection.

- F. In addition to any other fees, charges or amounts due to City Utilities, an insufficient funds charge may be made against a Customer as a result of a payment being returned to City Utilities by the Customer's financial institution due to insufficient funds, the amount of the charge determined by the Board. In such instances, City Utilities may require payment in cash of all amounts due.
- G. Bills and notices to any Customer shall be deemed to have been presented and given when deposited in the United States mail addressed to the last known address of such Customer as shown on the records of City Utilities or sent electronically to a location provided by such Customer. Notice to City Utilities of address changes shall be given in writing, by electronic notification, or by contacting City Utilities by telephone.
- H. A separate bill shall be rendered for each Meter, and service furnished to the same Customer through separate Meters shall not be added or cumulated for billing purpose, irrespective of the location of the Meters, except when such separate Meters are installed on the same Premise for the convenience and at the request of City Utilities.
- I. Payment shall be made at the main office of City Utilities or at such other locations or methods as designated by City Utilities.
- J. City Utilities shall have the right to manually or electronically read Meters and render bills either monthly, bi-monthly or quarterly, or for such other period as may be deemed practicable by City Utilities and to issue bills based upon estimated readings, and such bills shall be due and payable as provided in these Service Rules and Regulations.

7. BILLING CORRECTIONS

City Utilities will correct any bills rendered in error or under mistake of fact as to the quantity and nature of any Service rendered, and the Customer shall pay the actual correct figure. No interest will be charged by City Utilities or paid by City Utilities for any such correction. For all billing errors, City Utilities will determine from all related and available information the probable period during which the condition causing the errors existed and shall make billing adjustments for that period as follows:

- A. In the event of an overcharge, an adjustment shall be made for the entire period that the overcharge can be shown to have existed and in which City Utilities has records to verify the amount of the overcharge.
- B. In the event of an undercharge, an adjustment shall be made for the entire period that the undercharge can be shown to have existed. The adjustment shall not exceed twelve (12) monthly billing periods for residential accounts and sixty (60) monthly billing periods for all other accounts, which will be calculated from the date of discovery, inquiry or actual Notice to City Utilities in writing, whichever first occurs.



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- C. In the event of an undercharge, City Utilities shall offer the Customer the option to pay the adjusted bill over a period, at a minimum, equal to the period covered by the adjusted bill.
 - D. If evidence of tampering is found, or if the Customer has made any misrepresentation of the use of any Service, City Utilities shall calculate the billing adjustment period in accordance with the applicable statute of limitations for the prosecution of such claim after determining the probable period during which such condition existed from all related and available information. In addition, a Customer may be billed for an unauthorized connection, which shall include unbilled usage and any fees associated with Meter tampering.
 - E. In the event of an overcharge, City Utilities shall not pay the Customer interest on the adjustment. Likewise, City Utilities will not charge interest in the event of an undercharge. In any event, no billing adjustment will be made where the full amount of the adjustment is less than one dollar (\$1.00), and no interest shall be paid or collected on any billing adjustment provided for herein.
8. MASTER METERING OF A MULTIPLE TENANCY PREMISE
- A. City Utilities has adopted the Public Utility Regulatory Policy Act (PURPA) of 1978 standards (latest revision) regarding Master Metering of a Multiple Tenancy Premise. Master Metering of electric and gas Service shall be prohibited or restricted to the extent as defined in these Service Rules and Regulations and as required by the Missouri Public Service Commission (PSC) Code of State Regulations 240-40.
 - B. Master Metering of electric and gas Services shall be prohibited for any new Multiple Tenancy Premise (i.e., separate electric and gas Metering, per unit, shall be required) if:
 - 1. There is more than one unit in such Premise; and
 - 2. The occupant of each such unit has control over a portion of the electric energy or natural gas used in such unit.
 - C. Master Metering of electric and gas Services may be allowed for a new Multiple Tenancy Premise (i.e., separate electric and gas Metering, per unit, are not required) where, in City Utilities' judgment, it is impractical for City Utilities to separately Meter and supply either or both of such Services to each tenant of the Premise as a Customer of City Utilities, such as:
 - 1. Those portions of transient multiple occupancy buildings normally used as temporary domiciles in such buildings as hotels, motels, dormitories, rooming houses, hospitals or residential care facilities;
 - 2. Common building areas such as hallways, elevators, reception areas and/or washrooms;



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3. Spaces, other than Dwelling Units, which are subject to alteration with change in tenants as evidenced by temporary, as distinguished from permanent, type of load bearing wall and floor construction separating the unit spaces.
 - D. Master Metering of electric and gas Services may become prohibited (i.e., City Utilities may require separate electric and gas Metering per unit) for an existing Multiple Tenancy Premise which undergo substantial renovations that make individual Metering practical in City Utilities' judgment.
 - E. Master Metering of water Service for a Multiple Tenancy Premise is permitted when the Premise is under one ownership and the owner, operator or manager is responsible for payment of the water bill.
 - F. Master Metering of Services to multiple separate Premises shall be prohibited unless otherwise approved by the General Manager.
9. SUBMETERING OF A MASTER METERED MULTIPLE TENANCY PREMISE
- A. Each Service is furnished for the sole use of the Customer at the Premise described in the Service application, and there shall be no Submetering for the purpose of reselling such Service or redistributing the charges rendered for the Service, except as otherwise approved by separate written agreement with City Utilities as set forth in these Service Rules and Regulations and agreed to by the Customer's tenant(s) at such Premise in a separate written agreement with the Customer.
 - B. Customer monitoring of any Service for purposes other than reselling such Service or redistributing the charges rendered for the Service, such as energy and resource management, is not prohibited or restricted.
 - C. Waiver of Submetering Prohibition.
 1. The restriction against Submetering as an alternative to individual Metering may be waived by City Utilities where the operation of certain types of Multiple Tenancy Premises, either in whole or in part, makes it impractical, in City Utilities' judgment, to separately Meter and supply a Service to each tenant at such Premise as a Customer.
 2. Any Submetering restriction waiver shall be conditioned on the applicant complying with tenant billing, record keeping, dispute resolution, Submeter testing, and other requirements established herein and as included in such Customer's separate written agreement with City Utilities.
 3. Where a Multiple Tenancy Premise previously received a waiver from City Utilities to allow Submetering but later undergoes a substantial building renovation that makes individual Metering practical in City Utilities' judgment, the Premise may no longer be eligible to Submeter. The Customer may reapply for a waiver of the Submetering restriction.



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D. Tenant Notification of Submetering.

1. All lease agreements between an approved Submetering Customer and such Customer's tenant(s) at the subject Multiple Tenancy Premise shall clearly state that the applicable unit is Submetered, that bills will be issued by the Customer thereon, and that any disputes relating to the computation of the tenant's bill and the accuracy of the Submetering device will be between the tenant and the Customer.
2. Each approved Submetering Customer shall provide each tenant at the subject Multiple Tenancy Premise, at the time the tenant's lease with such Customer is signed, a copy of these Service Rules and Regulations or a narrative summary as approved by City Utilities to assure that such tenant is informed of its rights and the Customer's responsibilities under this policy.

E. Location of Submeters and Meter Reading.

1. Service switches or cut-off valves in conjunction with Submeters shall be installed in accordance with applicable industry standards and shall be readily accessible for reading, testing and inspection, with minimum interference and inconvenience to the tenant Submetered thereby.
2. Each approved Submetering Customer shall be responsible for providing, installing and maintaining all Submeters necessary for the measurement of any Submetered Service to its tenant(s) at the subject Multiple Tenancy Premise.
3. Each approved Submetering Customer shall be responsible for determining that the usage billed to each Submetered unit at the subject Multiple Tenancy Premise is for the Submeter associated with that unit and the Submetered Service(s) consumed therein.

F. Submeter Bill Calculation.

1. A Submeter bill calculation methodology shall be approved by City Utilities during a Customer's Submetering restriction waiver application process. The methodology shall be approved by separate written agreement with City Utilities in accordance with the approved service rates or policies established by the Board.
2. Each Submetered tenant's Submeter bill shall be calculated in a fair and equitable method agreed to by such tenant in a separate written agreement with the applicable approved Submetering Customer and shall be as approved by City Utilities.
3. The calculation referenced above shall be such that the approved Submetering Customer Redistributes to the tenant(s) at the subject Multiple Tenancy Premise the charges from City Utilities for rendering the Submetered Service(s) to such Premise. Extra Charges for which such Customer desires to invoice such tenant(s) in the related bill(s) shall be separately itemized and agreed to by each such tenant in a separate written agreement.



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4. Estimated bills for Submetered Service(s) shall not be rendered by an approved Submetering Customer unless the subject Meter has been tampered with or is out of order, and in such case shall be distinctly marked "estimated bill". Estimated bills shall not be rendered for more than three billing cycles without City Utilities' prior written approval.
5. Bills for Submetered Service(s) shall be rendered for the same billing period as that of City Utilities, generally monthly, unless and to the extent a Service is rendered for less than that period. Bills for Submetered Services shall be rendered promptly following the reading of the subject Submeters.
6. The billing units (e.g., kilowatt-hours, therms, hundred cubic feet) for Submetered Service(s) shall be the same as the billing units used by City Utilities in its related billing to the approved Submetering Customer.
7. No approved Submetering Customer shall offer the option of level or average payment plans to the tenant(s) of the subject Multiple Tenancy Premise.

G. Extra Charges.

1. Extra Charges are not permitted in bills for Submetered Services unless approved by City Utilities in writing and agreed to by the applicable Submetered tenant in a separate written agreement with the applicable approved Submetering Customer, which approval and agreement state the exact dollar amount, percentage, or calculation methodology of each such Extra Charge.
2. Extra Charges approved and agreed as set forth herein shall be separately itemized on the applicable Submetered tenant's bill or in such tenant's lease with the applicable approved Submetering Customer.
3. Extra Charges could include such items as a deposit, late penalty or reconnect fees.
4. Only if agreed to by a Submetered tenant in a separate written agreement with the applicable approved Submetering Customer may a penalty be assessed on delinquent payments for Submetered Service(s). If such a penalty is to be applied, the bill shall indicate the amount due if paid by the due date and the amount due if the late penalty is incurred. No late penalty may be applied unless previously agreed to by the delinquent tenant in a separate written agreement with the applicable approved Submetering Customer which states the exact dollar or percentage amount of the late penalty.

H. Submeter Bill Format.

1. A separate bill for Submetered Service(s) must be issued by the applicable approved Submetering Customer or, if issued on a multi-item bill, Submetered billing information must be separate and distinct from any other charges on the bill and



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conform to information required in this policy. The Submetered bill must clearly state “Submetered electricity,” “Submetered gas” and/or “Submetered water” as the case may be.

2. Each bill for Submetered Service(s) shall show all of the following information:
 - a. the date and reading of the related Submeter(s) at the beginning and at the end of the period for which the bill is rendered;
 - b. the number of billing units metered;
 - c. the computed rate per billing unit;
 - d. the total amount due for Submetered electricity, gas and/or water used;
 - e. a clear and unambiguous statement that the bill is not from City Utilities;
 - f. the name and address of the tenant to whom the bill is applicable;
 - g. the name of the Customer rendering the Submetered bill and the name, title, address and telephone number of the person(s) to be contacted in case of a billing dispute;
 - h. the date by which such tenant must pay the bill; and
 - i. the name, address and telephone number of the party to whom payment is to be made.

I. Disputed Bills and Billing Errors.

1. In the event of a dispute between a Submetered tenant and the applicable approved Submetering Customer regarding any bill for Submetered Service(s), such Customer shall promptly investigate and report the results to such tenant.
2. An approved Submetering Customer’s method for correcting billing and Submeter errors, including providing credits to and backbilling Submetered tenants, shall be agreed to by each such tenant in a separate written agreement with such Customer.

J. Records and Reports.

1. An approved Submetering Customer shall maintain and make available for inspection and copy by Submetered tenants at the subject Multiple Tenancy Premise the following records:
 - a. The bills from City Utilities to such Customer for Submetered Service(s) rendered to such Premise for the current month and the 12 preceding months;
 - b. All Submeter readings and tenant billings for the entire Premise for the current month and the 12 preceding months; and
 - c. All Submeter test results for the entire Premise for the current month and the 12 preceding months.
2. The records required above shall be made available at the Customer’s office at the subject Premise during reasonable business hours or, if there is no such office, at each tenant’s unit at the convenience of both the Customer and the tenant.



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3. All records required above shall be made available to City Utilities upon its request.

K. Discontinuance of Service.

1. Only if agreed to by a Submetered tenant in a separate written agreement with the applicable approved Submetering Customer may Submetered Service(s) be disconnected for nonpayment of bills, in which case the agreement shall state the exact number of days after the date of bill issuance that the Submetered Service(s) may be disconnected if the bill is not paid.
2. When a Submetered tenant requests discountenance of any Submetered Service from the applicable approved Submetering Customer, such Customer shall compute the charges for such Service rendered up to and including the time of discontinuance.

L. Testing of Submeters.

An approved Submetering Customer shall, upon the request of a Submetered tenant at the subject Multiple Tenancy Premise and, if such tenant so desires, in the tenant's or the tenant's authorized representative's presence, make a test of the accuracy of the tenant's Submeter. City Utilities will not test Submeters. The test shall be performed by a qualified third party during reasonable business hours at a time convenient to the tenant desiring to observe the test. The results of such tests will be made available to City Utilities upon its request.

10. CONTINUITY OF SERVICE

- A. City Utilities shall have the right to discontinue, interrupt or curtail service to any Customer or refuse service to any Customer, whether theretofore served or not, for any reason provided in these Service Rules and Regulations, or in accordance with any policies adopted by the Board.
- B. City Utilities does not guarantee any Service to be constant, sufficient or continuous. By application for a Service, each Customer shall be deemed thereby to have agreed that City Utilities may interrupt, curtail, limit or suspend such Service at any time for any reason deemed necessary by City Utilities.
- C. City Utilities will discontinue a Service entirely or terminate such Service to any installation, facility, appliance or device when, in the judgment of City Utilities, continuation of the Service constitutes a safety or health hazard.



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11. DISCONTINUANCE OF SERVICE AT CUSTOMER'S REQUEST

- A. Any Service will be temporarily disconnected on verbal or written Notice to City Utilities by the Customer, or the Customer's agent, for a period of 24 hours or less for repairs or alterations without in any way affecting the existing contract. If temporary disconnection of such Service is desired for more than 24 hours, City Utilities may require written Notice. In the event the Service is disconnected at the Customer's request, a charge, in such amount(s) as may be determined by the Board, may be assessed.
- B. Any Service will be permanently discontinued on written Notice to City Utilities. Upon receipt of such notice, City Utilities shall compute the charges for such Service rendered up to and including the time of permanent discontinuance and such charges shall become due and payable upon presentation of a final statement to the Customer.

12. ACCESS TO PREMISES

City Utilities shall have the right to enter the Premise of any Customer at any time for the purpose of reading Meters, examining, testing, changing or moving any equipment, Meters or apparatus of City Utilities, making a connected load count, measuring the Customer's maximum demand, to turn on, turn off or to disconnect a Service or Meter, or to inspect for cross-connections. If a Customer refuses City Utilities access to such Premise for any of the foregoing reasons, City Utilities shall have the right to discontinue any Service to such Customer.

13. LIMITATION OF RESPONSIBILITY OF CITY UTILITIES

- A. City Utilities shall have no duty, obligation or responsibility with respect to fixtures, equipment or apparatus on the Premise of any Customer.
- B. If, for the purpose of making repairs, extensions or connections, in the event of curtailment of any Service as herein provided or for reasons beyond the control of City Utilities, it becomes necessary to shut off any Service, City Utilities will not be responsible for any damage occasioned by such shut off, or any other cause which is not the result of negligence on the part of City Utilities.
- C. Each Customer shall notify City Utilities in advance of any change or changes in connected load or in equipment of such Customer's Premise, which might affect any Service to the Customer or to any other Customer.
- D. City Utilities shall not be liable for any injury, damage or loss resulting from the use of any Service on a Customer's Premise, or from the presence, location, maintenance or use of any fixtures or equipment on such Premise.
- E. Nothing shall be attached or fastened to, or placed upon, any fixtures or equipment of City Utilities unless prior permission in writing shall have been given by City Utilities; and City Utilities shall not be liable for any injury, damage or loss arising out of or resulting from any such attachment to its fixtures or equipment.



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14. CUSTOMER'S RESPONSIBILITY

- A. Each Customer shall pay City Utilities for all damage to, or destruction of, property of City Utilities located on or off such Customer's Premise where such damage or destruction is caused directly or indirectly by the Customer or the Customer's officers, agents or employees, excepting only that resulting from ordinary wear and tear, acts of God, and acts of employees of City Utilities.
- B. Each Customer shall send Notice to City Utilities promptly in writing of any defect in equipment or apparatus of City Utilities, of any existing condition which might affect any Service to the Customer or which might be dangerous to person or property, and of all complaints concerning any Service.
- C. If any Customer has on such Customer's Premise any connection, apparatus or device which prevents the Meter(s) on such Premise from registering or recording properly the Metered commodity and/or demand, City Utilities shall have the right to discontinue any Service to the Customer and to terminate any contract or contracts with the Customer.
- D. City Utilities shall have the right to refuse to restore any Service that has been discontinued until:
 - 1. the Customer has paid in full for all Service(s) furnished by City Utilities to the Customer's Premise (including all Service(s) used by the Customer not registered or recorded properly by the Meter(s) on such Premises);
 - 2. the Customer has paid for all damage to Meters, equipment, facilities or property of City Utilities caused by the Customer;
 - 3. the Customer has made any required deposit or security with City Utilities;
 - 4. the Customer has placed any required lines, piping or appliances in such condition as shall be acceptable to City Utilities at the Customer's sole risk, cost and expense;
 - 5. the Customer has paid the appropriate Credit Reconnect Fee in such amount as determined by the Board; and
 - 6. the Customer has paid all of the costs to City Utilities for discovering, investigating, and disconnecting such Service when unauthorized Service is involved.

15. TESTING OF METERS

- A. City Utilities may remove any Meter for routine tests, repairs and replacement.
- B. Whenever, upon test by City Utilities, any electric or gas Meter is found to have an average error of not more than two percent (2%) or any water Meter is found to have an average error of not more than four percent (4%), such Meter shall be considered to be accurate and



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correct, and no adjustment shall be made. If, upon test by City Utilities, any electric or gas Meter shall be found to have an average error of more than two percent (2%), or a water Meter has an average error of more than four percent (4%), or if any Meter has failed to register or has registered improperly, then such Meter shall be repaired or replaced at the option of City Utilities. The Customer served through such Meter shall be billed by City Utilities and shall pay for the Service(s) actually delivered during the period of time in which the Meter failed to register or registered improperly in accordance with the term limits for billing corrections stated in these Service Rules and Regulations. The bill for such period of time shall be based on all available information pertaining to proper determination of the Customer's usage and load.

- C. If it be found that, during any period of time, a Meter has failed to register, the Customer served through said Meter shall be billed by City Utilities, and shall pay to City Utilities, a charge for Service(s) delivered during such period of time which shall be estimated and computed by City Utilities on the basis of all available information pertaining to proper determination of the Customer's usage and load.

16. DISTRIBUTION SYSTEM EXTENSIONS

City Utilities will extend (or permit the extension of) its distribution systems as provided for in the Extension Policy adopted by the Board. Deposits, in advance, by applicants toward the estimated cost of construction and refunds, if any, shall be made under such conditions and on the basis as provided for in said Extension Policy.

17. RELOCATION OF CITY UTILITIES FACILITIES

If City Utilities is requested to move, relocate or rebuild any of its facilities to permit the moving of any house or structure or for any reason which would be of no benefit to City Utilities, the cost of such moving, relocating or rebuilding shall be paid in full by the party requesting such moving, relocation or rebuilding, except as otherwise provided herein or by applicable licenses or easements. Before City Utilities will move, relocate or rebuild any facilities or other equipment, a cash deposit in such amount as may be fixed by City Utilities, which shall be adequate and sufficient to cover in full the estimated cost of such moving, relocating or rebuilding, may be required by City Utilities.

18. SERVICE CONNECTIONS--DISTRIBUTION SYSTEM TO POINT OF DELIVERY

- A. Where a Customer makes application for a new Service connection, or for an enlargement of an existing Service connection, said application shall be subject to a payment of the Extension Reimbursement Fee and/or an Initial Service Connection Charge in accordance with terms and conditions as determined by the Board. With said Extension Reimbursement Fee, once collected, being subject to refund to said extension's developer or retained by City Utilities in accordance with policies established by the Board.
- B. Upon approval of a contract signed in advance for a new service connection, or for an enlargement of an existing Service connection, City Utilities will install (or permit to be installed) the Service connection from the distribution system to the Meter at such expense



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to the Customer as determined by the Board. The size, type of material, location and other specific requirements of the Service connection shall be solely determined by City Utilities. Where there is more than one distribution facility available, City Utilities shall determine the one to which the Service connection shall be connected. The Customer may be required to deposit, in advance of construction, any such amount required by the policy adopted by the Board.

- C. Where, at the Customer's request, a Service connection must be installed in frozen ground, at more than normal depth, under paved areas or under other adverse conditions, any additional costs caused by said adverse conditions which may be incurred by City Utilities may be charged to the Customer at actual cost or in such amount(s) as determined appropriate by the Board.
- D. In the event any charge referenced above is not paid within fifteen (15) days from the date of billing, the charge may be transferred by City Utilities to any other active account that the Customer or applicant may have with City Utilities.

19. REMOVAL OF GROUND COVER

When the ground cover over an existing underground facility is removed to less than adequate levels by an outside party, then said outside party shall bear the full cost of providing protection for, lowering or relocating said facility subject to right-of-way provisions.

20. PUBLIC FORBIDDEN TO OPERATE OR TAMPER WITH PROPERTY OF CITY UTILITIES

No person shall operate, alter, damage, deface, pollute, disconnect or remove any of City Utilities' equipment, facilities, reservoirs, inventory or property without the prior written consent of City Utilities. Any damages or costs to City Utilities as a result of any of the foregoing shall be paid for by the person causing the same.

21. SEVERABILITY PROVISIONS

It is hereby declared that the sections, subsections, paragraphs, sentences, clauses and all other parts of these Service Rules and Regulations, are severable and are not matters of mutually-essential inducement, it being the purpose of the Board to determine, approve and enact appropriate rules and regulations pertaining to and governing the operation of the City Utilities and the furnishing of Services to Customers in accordance with the Constitution and Statutes of the State of Missouri and the City Charter, and, if any one or more sections, subsections, paragraphs, sentences, clauses or other parts of these Service Rules and Regulations shall be, for any reason, adjudged unconstitutional or invalid, such judgment shall not impair, invalidate or affect the remaining portions and the judgment shall be confined in its operation to the specific provision(s) so held to be unconstitutional or invalid.



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22. CONSTRUCTION STANDARDS, SERVICE STANDARDS AND TECHNICAL SPECIFICATIONS

- A. As approved by the General Manager, City Utilities may establish additional electric, gas and water Service standards, consistent with these Service Rules and Regulations, except as required by law.
- B. City Utilities' Construction Standards, Service Standards and Technical Specifications (latest revisions) are adopted as the primary standards for technical and construction standards for City Utilities. These documents will supersede any physical or technical specifications noted in these Service Rules and Regulations, and all new updates of the Service Rules and Regulations will contain all previous revisions of the Service Standards. This will allow City Utilities to conform to changing utility and building codes in a timely manner. Customers shall be responsible for charges and fees for providing Service(s) in accordance with these standards.
- C. City Utilities' Construction Standards, Service Standards and Technical Specifications will be available to the public.

23. SPECIAL SERVICES

As approved by the General Manager, City Utilities may establish fees to be paid by a Customer or third party for any Special Service, including equipment costs, beyond those required by standard practices of City Utilities. Fees will be calculated based on the time commitment and applicable costs, including overheads, at the time of the Service, as well as the cost of equipment installed and use of City Utilities' equipment. Fees obtained by third parties for similar services (for example, advertising) may be considered if calculation of actual costs is difficult to determine.

24. HAZARDOUS CONDITIONS

- A. When a City Utilities employee is performing duties within the course and scope of employment and observes, on a Customer's Premise, a condition which causes any continued Service to be dangerous to person or property, the employee is authorized to place a red warning tag on the offending condition, appliance or equipment and, if possible, inform such Customer of the corrective action which should be taken and, at the same time, terminate the Service or isolate the affected equipment.
- B. When a Service has been terminated as set forth above and the Customer advises City Utilities that the condition has been remedied, City Utilities will make an inspection of the Customer's facilities. If the dangerous condition has been corrected, the terminated Service will be reconnected and the red warning tag removed. If a building permit is required to remedy the situation, it is the Customer's responsibility to make appropriate arrangements with the applicable permitting authority.



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- C. City Utilities does not assume any duty or responsibility to inspect, repair or maintain any wiring, appliance, equipment or condition which exists or is located on the Customer's side of the point of delivery.
- D. In the interest of the public, City Utilities shall have the right to inspect all equipment owned by the Customer, and may refuse or discontinue any Service until the provisions herein contained and in its Service Standards have been met. There is no obligation on the part of City Utilities to make such inspections, and City Utilities has no responsibility with regard to any equipment on the Customer's side of the point of delivery.
- E. When a City Utilities employee is performing duties within the course and scope of employment and observes, on a Customer's Premise, a condition, appliance or piece of equipment not requiring the action noted in this section but which by deterioration or otherwise may become hazardous, the employee is authorized to inform such Customer of the corrective action needed. Such advice is for the Customer's convenience only and City Utilities assumes no liability for any failure to remedy the condition or for any damage which results from such failure.

II. ELECTRIC SERVICES

1. ELECTRIC INSPECTION

All electric wiring and equipment on a Customer's Premise must be acceptable to City Utilities and no electrical service either inside or outside the City's corporate city limits shall be furnished unless and until the wiring and equipment are inspected by a governmental authority having jurisdiction to verify that all applicable federal, state and local regulations have been met; provided, however, City Utilities shall not be deemed to have assumed hereby any duty or responsibility to inspect, repair or maintain any wiring or equipment on the Customer's side of the point of delivery.

2. ELECTRIC POINT OF DELIVERY AND SERVICE ENTRANCE

- A. It shall be the sole responsibility of each prospective Customer to obtain from City Utilities information as to the point at which City Utilities will provide electric Service to the Customer's Premise, and thereafter to wire said Premise in accordance with such information. City Utilities shall have no responsibility, duty or obligation to furnish service at any point other than that designated by the General Manager.
- B. The point of delivery of all electric energy furnished by City Utilities to any Customer shall be at the point where the wires of City Utilities first attach to any building, structure or wiring belonging to the Customer. At such point City Utilities will attach its Service wires by house knobs, racks, "dead ends" or other means; provided, however, that all structural brackets or framework required for attaching high voltage service wires (carrying 2,300 volts or more) to the Customer's Premise shall be furnished and installed by the Customer at the Customer's sole risk, cost and expense.



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- C. Where the distribution system is or is proposed to be installed underground, the Customer shall install an underground Service at the Customer's expense. When such underground Service is arranged for and installed by the Customer, the Service so installed shall be the property of the Customer and maintained by the Customer, and the point of beginning for said Service shall be determined by City Utilities and shall not be on a dedicated utility easement. In instances where City Utilities considers it desirable to install the underground Service, as in the case of a primary Service, it shall be done at the expense of the Customer. Where a contiguous group of Customers desires overhead distribution owned by City Utilities be replaced with underground distribution, they shall, as one of the requirements, also replace overhead Services with underground Services at their expense. In overhead distribution areas the Customer may install an underground Service provided the installation is done at the Customer's expense and said Service shall originate on facilities owned by the Customer.
- D. The Customer shall pay the cost of any special installation, including equipment costs, necessary to meet particular requirements for Service other than standard voltages, or for the supply of closer voltage regulation or uninterrupted Service than required by standard practice of City Utilities.
- E. The maximum length of overhead Service wires which will be run to a Customer will be established by City Utilities based on the wire size required to provide electric Service.
- F. City Utilities will permit the installation of Service at any point on a building, so long as the Service wires are not required to cross a ridge of the roof, except where the riser is located within one (1) foot or less of the roof ridge or peak and has a minimum length of three (3) feet above the roof, and they meet other provisions of these Service Rules and Regulations. City Utilities will not be required to build additional line facilities in order to reduce Customer wiring costs to serve a prospective Customer when existing lines can be used. Where Services are installed which will require the Service wires to overhang the roof, the weatherhead shall be located at a sufficient height above the roof to permit National Electric Code clearance between the roof and Service conductors.
- G. All overhead Service wires carrying nominal voltages of 120 and/or 240, with which single-phase or three-phase Service is supplied, shall run from the point of delivery to the Service switch and protective cabinet in continuous rigid metallic conduit which shall enter and be made fast to the protective cabinet by means of bushings and lock-nuts. City Utilities may at its option, if construction requirements warrant, permit the use of "L" style conduits between the weatherhead and electric Meter when the Service provides for a commercial or industrial load, the conduit size is 2 1/2 inches or larger and the conduit is installed externally to the building so that its opening is visible from the outside. All underground Services shall be approved by City Utilities. All wires over which Service is rendered at 2,300 volts or higher shall also run in continuous rigid metallic conduit or armored cable or duct and shall terminate in potheads of proper electrical rating. The Customer shall, at its sole expense, furnish and install all wiring, conduit and potheads required under these Service Rules and Regulations.



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- H. All Service wires shall conform, in size and in conductivity, to all requirements of the National Board of Fire Underwriters and in no case shall Service wires be smaller or have lower conductivity than No. 8 B. & S. gauge copper wire. At the point of delivery, each Customer's Service wires shall extend from the end of the Service conduit a minimum of thirty-six (36) inches except where Service wires carrying higher voltages terminate in potheads.
- I. The point of Service entrance for low voltage Service shall be the point at which Service wires enter the Customer's conduit. This point of Service shall be not less than twelve (12) feet above the ground in overhead installations where City Utilities' Service wires may be attached above the Customer's conduit. Where "mast type" Services are installed which require Service wires to be attached below the Customer's weatherhead, such Service mast shall consist of rigid metallic conduit with a minimum inside diameter of two (2) inches, and the height of the weatherhead shall be such that not less than twelve (12) feet from lower Service wire to ground elevation will be provided. The point of Service entrance for higher voltage Services, i.e., Service at 2,300 volts or higher, shall not be less than twenty (20) feet above the ground unless a lower point of Service entrance is isolated and barricaded, to the satisfaction of City Utilities, to prevent access thereto at all times.

3. ELECTRIC METER LOCATION AND INSTALLATION

- A. Each Customer shall provide a Meter location which is satisfactory and acceptable to City Utilities where Metering equipment furnished by City Utilities will be installed.
- B. All Meters for overhead Services installed for new single family residences shall be located on the exterior of an outside wall where Meter reading and repair can be accomplished without entering the residence. When remodeling results in enclosing the existing Meter location, the Customer shall rewire the Meter location to an outside wall. The Meter location on underground Services shall be determined by the General Manager.
- C. All multiple Meter Installations for multifamily residences and apartments shall be located on the exterior of outside walls, except that an inside location may be permitted, subject to the approval of the General Manager, and provided that access to the Meters is available at all times. Each Meter in a multiple-Meter Installation shall, at the Customer's expense, be clearly marked with metal tags indicating the particular area supplied through each Meter.
- D. All Meter Installations for new nonresidential buildings shall be located on the exterior of outside walls except where traffic, adjacent structures, etc., make an outside location unavailable or hazardous as may be determined by City Utilities.
- E. Customers will furnish and install Meter bases acceptable to City Utilities for detachable-type Meters, which shall be used in all installations unless prior permission to the contrary is given by City Utilities. The Meter base must be installed in the Service line ahead of all switches.
- F. No Meters shall be removed or relocated, and no Meter seal shall be broken, other than by an authorized employee of City Utilities.



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- G. A Meter will not be installed on or in an unfinished portion of any building except under special arrangement with City Utilities for the purpose of furnishing Temporary Service.
 - H. Any Meter Installation on the exterior of a building or other structure shall be at a point not more than seven (7) feet or less than five (5) feet above the ground where the Meter is on the Customer's Premise.
 - I. When there are two (2) or more Meter Installations in the same building, all such Meters shall, whenever possible, be grouped at the same point which shall be accessible to all tenants or occupants of the building.
 - J. When a Meter is to be mounted on the Customer's pole, the minimum wood pole utilized for permanent electric Service shall be a twenty-five (25) foot class seven (7) pole, set a minimum of five (5) feet in the ground. Such Customer shall, at its expense, furnish and install all conduits and wiring to a point which provides the required ground clearance for the installation. No installations of Customer-owned conduits, switches or other electrical devices will be permitted on City Utilities' poles.
 - K. All wires on the loft side of a Meter shall run directly to a point of distribution and shall not run back through the main line switch cabinet.
 - L. Only one (1) Service entrance connection for lighting and for each class of power shall be installed in any Premise. Where a Customer may desire separate Metering facilities for different portions of any Premise, the Customer shall provide a place, suitable and acceptable to City Utilities, for the Service switches and all Metering equipment for the entire Premise. All Meters for the same Premise must be located in the same area, grouped as close as practical. This Meter location area must be accessible to all tenants or occupants of the Premise, and to City Utilities' employees for purposes of inspection and maintenance.
 - M. For low voltage installations where current requirements necessitate the use of current transformers and/or potential transformers, the Customer will furnish and install the current transformer cabinet which shall be located within ten (10) feet of the Meter and shall be mounted by the Customer in such manner as may be satisfactory and acceptable to City Utilities. Housing for all high voltage Metering installations, i.e., for 2,300 volts or more will be provided by City Utilities.
 - N. Electric Service to a Multiple Tenancy Premise shall be in accordance with these Service Rules and Regulations.
4. ELECTRIC SERVICE SWITCH AND PROTECTIVE CABINET
- A. Each Service switch and protective cabinet shall be installed as near to the point of delivery as shall be practicable; and, unless the Meter is installed in a substantial cabinet or on a regular switchboard, it must be not less than five and one-half (5 1/2) feet and not more than seven (7) feet above the floor.



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- B. Each Service switch and protective cabinet shall be installed in a location where such switch and cabinet shall be free from vibration, damage from mechanical injury, excessive heat, moisture, injurious fumes, etc., and where such switch cabinet shall be readily accessible to employees of City Utilities with minimum inconvenience to occupants of the Premise and in a location which shall be satisfactory and acceptable to City Utilities.
- C. All Service entrance switches shall be totally enclosed, and an externally operated type; and, if installed out-of-doors, shall be weatherproof and shall be installed at a point not more than six (6) feet above the ground.
- D. The Service entrance switch shall be installed in a protective steel box having facilities for sealing the box closed, for sealing the switch open, and for testing the Meter. City Utilities shall have the right to designate and specify the type of protective cabinet for any particular Service, or to require any Customer to change the type of protective cabinet being used.
- E. On three-wire, single-phase Service, the neutral wire shall not be fused.

5. ELECTRIC GROUNDING OF SECONDARIES AND SERVICE WIRES

All new 120-volt, two-wire and 120-240 volt, three-wire, single-phase installations shall be grounded at the Meter locations on the line side of the entrance switch and cutout. The ground wire shall be continuous through those electric Meter backs which have only one (1) ground connector. The size of the ground and the method of installation thereof shall be in accordance with the National Electric Code.

6. ELECTRIC SERVICE CONNECTIONS

- A. The term "Service connection" shall mean that portion of the distribution system installed for the particular use of any Customer, to-wit, that portion of the distribution system extending from the nearest pole or underground facility of City Utilities to the point of delivery, and shall not include any lines, poles or facilities located on streets, alleys, public places or rights-of-way of City Utilities.
- B. City Utilities shall own all aerial Service connections.
- C. Fuses of adequate capacity shall be installed and properly housed between any underground cable and the distribution wires of City Utilities. All underground Services which are installed by the Customer shall be at its sole risk, cost and expense.

7. CHANGE IN ELECTRIC CUSTOMER'S LOAD

No Customer shall increase its connected electric load more than twenty percent (20%) within any one (1) calendar year without prior Notice to and consent by City Utilities, each in writing.



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8. CONVERSION OF OVERHEAD DISTRIBUTION LINES TO UNDERGROUND

City Utilities may convert certain segments of its overhead distribution system to underground provided the General Manager considers it desirable, and economically and physically feasible to do so.

9. TRIMMING OF TREES AND OBSTRUCTIONS

City Utilities shall have the right, privilege and authority to trim trees, overhanging branches, hedges, shrubs or other obstructions which might endanger the safety or interfere with the construction, operation or maintenance of any cross-arm, wires, conductors, insulators, padmounted equipment or other electrical fixtures, devices or apparatus of City Utilities. By acceptance of electric Service from City Utilities, each Customer shall be deemed conclusively to have granted such right, privilege and authority to City Utilities; and, if any such Customer thereafter should challenge or object to exercise of such right, privilege and authority by City Utilities, electric Service to the Customer may be refused or discontinued for that reason alone.

10. POWER INSTALLATIONS

- A. Before purchasing any motor or power-consuming appliance to be supplied from the system of City Utilities or before installing any power Service, any Customer or prospective Customer shall confer with City Utilities concerning such motor or other power-consuming appliance which the Customer proposes to purchase or install, and concerning the starting or controlling equipment therefore, for City Utilities specifically reserves and shall have the right to specify the character, type, voltage, frequency and phase of any power installation to be served from its system.
- B. Any motor with a rating in excess of 10 H.P. must be three-phase, except where the furnishing of three-phase service would involve additional expense to City Utilities or would be impracticable. City Utilities may, at its option, require any motor with a rating of 10 H.P. or less to be single-phase.
- C. All three-phase motors shall be served at 240 volts or at such other voltages as approved by City Utilities.
- D. Any motor or other power-consuming appliance with a rating of 20 H.P. or more must have inherent characteristics or must be equipped with such starting or controlling device as will limit the starting current under all conditions to a value not exceeding three (3) times the full load running current; however, these requirements may be waived for such period of time as City Utilities determines there is no adverse effect on the quality of Services afforded other Customers.
- E. City Utilities shall not seal Meters or motors which are used for air conditioning equipment when the request is made in order to avoid paying the minimum charge or Service charge for connected load of the air conditioning equipment.



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11. TRANSFORMER INSTALLATIONS AND TRANSFORMER VAULTS

- A. Where a Customer's electrical load is such that it cannot be served properly from a conventional 120-240 volt Service connection and where adequate and suitable space for installation of transformers in an adjacent street or alley is not available, the Customer shall furnish and set apart, without charge, a space on the Customer's Premise which, in the opinion of City Utilities, shall be satisfactory and adequate for installation of the necessary transformers to serve such Customer.
- B. Where a Customer's electrical load is such that, in the opinion of City Utilities, a vault inside the Customer's building is required or needed for installation of transformers, the Customer shall furnish and set apart, without charge, a space inside the Customer's building which, in the opinion of City Utilities, shall be satisfactory and adequate for installation of the necessary transformers to serve such Customer. The Customer shall, at its sole cost and expense, construct and prepare the vault in conformity with all rules, regulations and requirements of the National Board of Fire Underwriters and likewise shall furnish and install, at the Customer's sole cost and expense, all bus work, conduits, disconnecting devices and hardware in said vault.
- C. City Utilities will provide, furnish and install transformers for electric Service from overhead distribution at voltages of 120-240 volts, except for those Customers who qualify or, in City Utilities' opinion, are likely to qualify for Service under the Large Power Electric Service Rate schedule. Electric Service from underground distribution may, at City Utilities' option, be provided at 120-208. Transformers to provide electric Service at any voltage or voltages other than 120-240 volts or 120-208 volts shall be furnished and installed by the Customer at its sole cost and expense except under special conditions as may be approved by City Utilities.

III. GAS SERVICES

1. MEANING OF GAS TERMS

- A. A "gas Service pipe" is a pipe with appurtenances used to conduct gas from the gas main to the Meter.
- B. The "point of delivery" of gas to a Customer shall be the point at the outlet of the gas Meter.
- C. A "gas main" is a pipe with appurtenances, located in public rights-of-way or utility easements, used to conduct gas to one or more gas Service pipes.

2. GAS INSPECTION

All gas piping and equipment on the Customer's Premise must be acceptable to City Utilities and no gas Service either inside or outside the City's corporate city limits shall be furnished unless and until the piping and equipment are inspected by a governmental authority having jurisdiction to verify that all applicable federal, state and local regulations have been met.



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3. CHANGE OF GAS METER LOCATION

- A. Whenever a Customer requests that the location of a gas Meter be changed, thereby making necessary the disconnection and reconnection of said Meter, City Utilities may make a charge in such amount(s) as may be determined by the Board to cover costs incurred; provided, however, that any change in location of a gas Meter must meet the approval of the General Manager.
- B. The gas Meter shall be moved by City Utilities to a location satisfactory to City Utilities when building, remodeling or construction has or would conceal the Meter, decrease its accessibility, or otherwise adversely affect the existing Meter location or gas Service pipe. City Utilities may make a charge in such amount(s) as may be determined by the Board to cover costs incurred.
- C. Any related paving replacement required as a result of work performed under this Section III.3 shall be the Customer's responsibility and expense.

4. GAS SERVICE TO SINGLE OR MULTIPLE BUILDINGS

- A. A structure completely separated from all others, or internally by fire walls, and on its own lot or parcel of land, which is adjacent to a public thoroughfare or access easement of sufficient width, shall have a single service pipe and single Metering location for one or more Meters regardless of the number of City Council-approved rate schedules applicable or classes of Service provided to the Customer, except for the convenience of City Utilities.
- B. Gas service to Multiple Tenancy Premise shall be in accordance with these Service Rules and Regulations.
- C. In the event that a property is divided with a portion of the structure thereon being sold as a separate unit and it becomes necessary to install an additional gas Service pipe and Meter, the owner shall make arrangements with City Utilities for the installation of such Service pipe and Meter by City Utilities and shall pay the costs of such installation in such amount(s) as determined by the Board. Should the Service line cross the newly-created property, an easement suitable to City Utilities must be provided for the Service line or the Service line must be relocated.
- D. All other conditions of Service piping and Metering locations not described or covered herein shall be determined by City Utilities.

5. ONE GAS SERVICE LATERAL FOR TWO BUILDINGS

When a gas main carrying adequate pressure is on the opposite side of the street from buildings to be served, City Utilities may, at its option, run one lateral across the street to serve two buildings. When extension of such a lateral is requested by a Customer to serve a side, other than the nearest side, such Customer shall pay, in advance, the estimated cost of such extension.



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6. MAINTENANCE OR ALTERATION OF GAS SERVICE PIPE

Any alteration, relocation, extension, enlargement, repair or connection to the existing gas Service pipe shall be done by City Utilities. When such work is done for the convenience of the Customer, the Customer shall be charged the cost of such work.

7. GAS MEASUREMENT

City Utilities shall provide and install at its own expense, and shall continue to own, maintain and operate the Meter necessary for the measurement of gas to point of delivery to the Customer. Such equipment shall remain the property of City Utilities and access to the same, at all times, shall be provided by the Customer.

8. GAS METER LOCATION

The gas Meter location shall be outside in a clean, safe place which is not exposed to roof drainage. A gas Meter shall not be located within a building except when expressly permitted by the General Manager. All locations shall be such that the Meter can be easily read and the connections are readily accessible for servicing and changing the Meter. All gas Meter locations shall be approved by City Utilities. The Customer shall provide any structures, such as concrete bases or guard posts, necessary for installation and adequate protection of the Meter.

9. MULTIPLE GAS METERS

- A. In buildings where individual Meters are required for separate rooms, or groups of rooms, the house piping shall be so installed and arranged so that all Meters may be located at a central point and in accordance with these Service Rules and Regulations; and each pipe shall be clearly marked with metal tags at the Meter location to indicate the particular areas supplied by it. Each Meter in a multiple-Meter Installation shall, at the Customer's expense, be clearly marked with metal tags indicating the particular area supplied through such Meter.
- B. House piping systems designed to be supplied from separate Meters shall not be interconnected on the outlet side of the Meters. No house piping shall be interconnected to any individual Metering unit that contains another type of gaseous fuel (e.g., propane, butane, or a combination thereof), without approval of City Utilities.

10. CUSTOMER'S GAS PIPING

- A. Piping and connections owned by the Customer shall be of sufficient size to afford adequate Service; and shall be maintained in safe, efficient and proper operating condition by and at the expense of the Customer.
- B. In the interest of the public, City Utilities shall have the right to inspect all piping and connections owned by the Customer, and may refuse or discontinue Service until the provisions of these Service Rules and Regulations have been complied with. There is no



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obligation on the part of City Utilities to make such inspections, and City Utilities has no responsibility with regard to any gas piping, appliances or equipment on the Customer's side of the point of delivery.

IV. WATER SERVICES

1. MEANING OF WATER TERMS

- A. A "water Service pipe" is a pipe with appurtenances used to conduct water from the water main to the Meter.
- B. A "lateral" is that portion of a water service pipe running from the water main across the street to supply water to two adjacent Meter locations.
- C. A "fire Service" is a pipe with appurtenances used to conduct water from a water main to the fire Service valve or property line, if no valve exists, for connection to a Customer's private fire protection system.
- D. A "point of delivery" for Metered water is the outlet of the water Meter, unless otherwise provided for, and in all cases City Utilities shall determine said point.
- E. A "Customer Service pipe" is that portion of the water Service pipe between the point of delivery and structures on the Customer's Premise to be supplied.
- F. A "water main" is a pipe with appurtenances, located in public rights-of-way or utility easements, used to conduct water to one or more laterals and/or Service connections.

2. WATER INSPECTION

All water piping and equipment on the Customer's Premise must be acceptable to City Utilities; and, if required, no water service either inside or outside the City's corporate city limits shall be furnished unless and until the piping and equipment are inspected by a governmental authority having jurisdiction to verify that all applicable federal, state and local regulations have been met. City Utilities shall not be deemed to have assumed hereby any duty or responsibility to inspect, repair or maintain any water piping or equipment on the Customer's side of the point of delivery.

3. WATER SERVICE PIPING

- A. The size and location of water Service pipe shall be determined and specified by City Utilities.
- B. Water Service to Multiple Tenancy Premise shall be in accordance with these Service Rules and Regulations.
- C. Applications for a new "water Service pipe" shall be subject to the payment of an Initial Service Connection Charge in such amount(s) as determined by the Board.



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- D. Applications for the enlargement of an existing water Service pipe shall be subject to the payment of the Initial Service Connection Charge for such larger size water Service pipe less the Initial Service Connection Charge for the size of the existing water Service pipe to be replaced and retired or, in the case of multiple water Service pipes being replaced or retired, less the Initial Service Connection Charge of the largest single water Service pipe of the multiple water Service pipes being replaced and retired.
 - E. Applications for the relocation of an existing water Service pipe and/or Meter Installation shall be subject to the payment of the estimated cost of such relocation. As used herein, enlargement may include relocations of the Service and its water Service pipe.
 - F. Meter Installations required for enlarged Services shall be at the Customer's expense and may be installed by the Customer in accordance with City Utilities' standard specifications or City Utilities will install the same after payment of the estimated cost of such installations. Relocations as used here shall mean relocation of the same size Service and/or Meter Installation for the convenience of the Customer. Relocations for the convenience of City Utilities will be done at City Utilities' expense.
 - G. In the event that a property is divided with a portion of the structure thereon being sold as a separate unit and it becomes necessary to install an additional Service pipe and Meter, the Customer shall make arrangements with City Utilities for the installation of such Service pipe and Meter by City Utilities and shall pay the costs of such installation in such amount(s) as determined by the Board. Should the Service line cross the newly-created property line, an easement suitable to City Utilities must be provided for the Service line or the Service line must be relocated.
4. WATER CROSS-CONNECTIONS
- A. A "cross-connection" shall mean any actual or potential connection or plumbing arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas or substance other than the intended potable water with which the system is supplied. By-pass arrangements, jumper connections, removable sections, swivel or change-over devices and other temporary or permanent devices through which or because of which backflow from the consumer's piping system into the potable water system can or may occur are considered to be cross-connections.
 - B. All new nonresidential Customers and Customers with irrigation systems shall install backflow prevention devices as required and approved by the Missouri Department of Natural Resources. Alterations to existing nonresidential installations which require permitting by a permitting authority will require installation of backflow prevention.
 - C. City Utilities shall retain the right of periodic inspection of each Customers' piping systems for the determination of cross-connections. When an inspection reveals cross-connections, the Customer will be notified in writing of the conditions that do exist at which time the Customer shall take the necessary measures to eliminate the cross-connection within a set



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period of time. When corrections have been made to the Customer's system for the elimination of cross-connections, City Utilities must be notified and the piping system re-inspected for approval by City Utilities.

- D. City Utilities will not allow its water mains or Services to be connected on any Premise with any Customer's piping which in turn is connected with any other source of water supply, unless such supply is periodically tested and approved by the Missouri Department of Natural Resources, Division of Environmental Quality, as a potable water supply. When another source of water supply meets the above conditions, and upon City Utilities' approval, it must be separated from City Utilities' water supply system by a double check valve assembly as approved by City Utilities. A "double check valve assembly" is composed of two single, independently-acting, approved check valves, including tightly closing shut-off valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve. This assembly shall be installed and maintained by the Customer, and made available for periodic testing by City Utilities.
- E. City Utilities will not allow its water mains or Service pipes to be in any way connected to any vat, tank or other apparatus, which contains or may contain undesirable substances or toxic materials; or to vessels subject to or operating at a pressure level above atmospheric pressure. When in the opinion of the General Manager these conditions do or could exist, the Customer shall at his or her expense install and maintain an appropriate backflow prevention device as approved by City Utilities.
- F. A backflow prevention device shall be installed in an accessible area to facilitate the testing operation. If the device is located more than eight (8) feet from the floor, some suitable means of access to the device shall be provided which will comply with Occupational Safety and Health Administration requirements.
- G. City Utilities will not provide Service to any potential Customer, and may terminate Service to any existing Customer, whose internal piping system has cross-connections until all cross-connections are eliminated.
- H. City Utilities will discontinue Service to any Customer found to have cross-connections, either actual or potential, in its internal piping system.

5. WATER LIABILITY

City Utilities will not be responsible for damages which may be occasioned by cleaning of pipes, reservoirs, or stand pipes, or the opening or closing of any valves or hydrants, or any other cause which is not the result of negligence on the part of City Utilities. City Utilities shall not be responsible for damages which are the result of a failure by any Customer to timely report any problems to City Utilities which are known or should have been known by such Customer.



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6. CHANGE OF WATER METER LOCATION

Except for the convenience of City Utilities, any relocation of a water Meter shall be done upon receipt of the amount of the estimated cost of such work provided such relocation meets the approval of the General Manager. No piping work on the Customer's side of the point of connection will be done by City Utilities, either before or after moving said Meter, except that a spool may be installed in place of the old Meter location or in the event that such work would be for the convenience of City Utilities.

7. CUSTOMER'S WATER SERVICE PIPE - PROPERTY LINE TO PREMISES

- A. The Customer's Service piping shall be owned, operated and maintained by the Customer per all applicable federal, state and local codes and regulations. City Utilities shall have the right to inspect Customer Service pipe and may disconnect Service if such piping does not meet such codes and regulations. Pipe shall be of ample strength to withstand the water pressures at the point where located and will conform to the existing plumbing codes and the requirements of City Utilities in furnishing adequate and safe Service. The Customer Service pipe shall include the connection to the water Service pipe, and all liability for such connection shall be the Customer's. If the Customer Service pipe is installed prior to the installations of a water Service pipe by City Utilities, City Utilities will, at the Customer's request, make the physical connection between these pipes, but in so doing City Utilities assumes no liability for said connection.
- B. Customer Service pipe shall be laid to the property line, at a point designated by City Utilities before City Utilities will connect such Service pipe with the water Service pipe.
- C. Service pipe in building shall be located in the parts thereof best protected from frost. In buildings where there are no cellars, the pipe shall be carried up from the center or unexposed part of the building, or shall otherwise be installed in such a manner as is reasonable to protect said pipe from freezing.
- D. The Customer shall make all changes in the Customer service pipe required on account of changes of grade or other causes.
- E. Any repairs or maintenance necessary on the Customer Service pipe or in any pipe or fixture in or upon the Customer's Premise including the connections to the water Service pipe, shall be performed by the Customer at its expense and risk. Such pipe and fixtures shall be kept and maintained in good condition and free from all leaks, and for failure on part of Customer to do so the water supply may be discontinued.
- F. All of a Customer's Service pipes must have placed thereon a cut-off immediately inside the building or foundation wall at the place of entry. When water is available at the Meter, City Utilities shall not be responsible for thawing frozen services.



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8. ONE LATERAL FOR TWO WATER STREET SERVICE CONNECTIONS

When a water main carrying adequate pressure and capacity is on the opposite side of the street from Premise to be served, City Utilities may run one lateral across the street to serve two Customers.

9. FIRE SERVICES

- A. It shall be expressly understood and agreed by and between the parties receiving fire Service that City Utilities does not assume liability as an insurer of property or persons and that the agreement does not contemplate any Special Service, pressure capacity, or facility; and further all fire Service furnished shall be subject to the ordinary and changing conditions of City Utilities, as the same exists from day to day.
- B. Private fire Services must conform to all applicable federal, state and local regulations. The entire cost and expense of installing and maintaining a private fire connection shall be borne by the Customer. Maintenance of the portion of the connection between the water main and the property line shall be borne by City Utilities. Said Service shall be used exclusively for the extinguishment of fires and no connection for residential or nonresidential use may be attached thereto.
- C. Fire loops and appurtenances for benefit of the Customer shall be owned and maintained by the Customer.
- D. All sprinkler pipes and other private fire connection pipes on presently installed Services shall be so placed as to be readily inspected, and if concealed or so arranged with other pipes so as to not be readily inspected, or if any unauthorized connections are in existence, a Meter shall be installed on such private fire connection at the expense of the Customer.
- E. Customers desiring private fire Service must consult, before installation, with City Utilities as to the availability of mains, pressure, etc. No private fire connection will be made on a water main of less than six (6) inches in diameter.
- F. Upon request by City Utilities. unmetered water consumption associated with the Customer's testing and maintenance of their sprinkler pipes and other private fire connection pipes on the unmetered private fire Service shall be estimated by the Customer and reported to City Utilities.

10. TEMPORARY, STANDBY AND SPECIAL SERVICE CONNECTIONS

The entire cost of Temporary, Standby or Special water Service pipe shall be borne by the Customer. This cost shall be the actual cost but not less than the applicable Initial Service Connection Charge and shall include, if applicable, an Extension Reimbursement Fee. Title to such street Service connection facilities shall remain with City Utilities in consideration of its upkeep and maintenance. The Initial Service Connection Charge shall not apply when water Service is rendered temporarily through a Meter placed on a fire hydrant.



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11. EMERGENCY SERVICE

Water Service may be provided, subject to adequate water capacity being available, on a temporary basis to private or independent water systems provided that it has been determined by City Utilities that an emergency condition exists which would constitute a safety or health hazard for those served by said system.

12. WATER METERS AND METER INSTALLATIONS

- A. All water Services shall be Metered except private fire connections. For such unmetered private fire connections, upon the request by City Utilities, the Customer shall provide an estimate of unmetered water use for purposes of the Customer's testing and maintenance of its sprinkler pipes and other private fire connection pipes. In certain applications or at the request of a Customer, City Utilities shall provide a fire-rated Meter at no cost to the Customer. Such equipment shall remain the property of City Utilities and access to the same, at all times, shall be provided by the Customer.
- B. All Meters shall be furnished, installed, maintained and removed by City Utilities, and shall remain its property, except when expressly permitted by the General Manager.
- C. City Utilities shall have the right to determine, on the basis of the Customer's stated flow requirements, the size and type of Meter and Meter Installation to be installed and the location of same. If flow requirements decrease subsequent to installation and a smaller Meter is requested by the Customer, the cost of installing such Meter shall be borne by the Customer.
- D. When a Meter larger than the Customer requires is installed for the convenience of City Utilities, City Utilities may bill the Customer on the basis of the actual Meter requirements as determined by the General Manager.
- E. Plumbers installing new Customer Service pipes and plumbing in any Premise shall determine from City Utilities the proposed location of the Meter.
- F. All Meters shall be maintained by City Utilities at its expense insofar as ordinary wear is concerned, but damage due to hot water, freezing or other external causes arising out of or caused by any actions of the Customer shall be paid for by the Customer. The Meters furnished by City Utilities shall remain its property and the applicable Customer shall be held responsible for their safekeeping and liable for any damage thereto resulting from the carelessness of said Customer or its agent(s) or tenant(s), and for failure to protect the same against freezing or damage by hot water, City Utilities may refuse to supply water until such damage is paid.

13. MULTIPLE METERS

- A. In a building where separate water Service pipes are requested for separate rooms or groups of rooms, the piping shall be installed and arranged so that all points of connection may be located at one or more central points as approved by the General Manager and each



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Customer Service pipe shall be clearly marked at that location to indicate the particular area supplied by it. Each Meter in a multiple-Meter Installation shall, at the Customer's expense, be clearly marked with metal tags indicating the particular areas supplied through each Meter.

- B. No Customer's piping shall be interconnected to any private water system except as specifically permitted herein.

14. PRESSURE REGULATORS

Pressure regulation is the responsibility of the Customer. City Utilities will not install nor maintain pressure regulators, either for the purpose of regulating sustained high pressure or fluctuating pressure.

15. FIRE HYDRANTS

No unauthorized person shall, without the consent of the General Manager, operate any fire hydrant except for the legitimate purpose of extinguishment of fire.

16. WATER MEASUREMENT

City Utilities shall provide and install at its own expense, and shall continue to own, maintain and operate the Meter necessary for the measurement of water to point of delivery to the Customer. Such equipment shall remain the property of City Utilities and access to the same, at all times, shall be provided by the Customer.

V. PUBLIC COMMUNICATIONS SERVICES

In 1991, City Council adopted its "Telecommunications Strategic Plan" (Resolution No. 7916). It was amended in 1996 (Resolution 8424) after the United States Congress passed the Telecommunications Act of 1996. In 1999, as provided for in amended Resolution 8424, City Utilities introduced SpringNet®, a competitively-focused public communications business unit of the Board. Contracts for SpringNet telecommunication Services shall be subject to applicable Public Service Commission (PSC) orders and tariffs governing SpringNet Services; policies adopted by the Board; applicable ordinances or provisions thereof of the City; and City Utilities' Master Service Agreements and Service Descriptions. Such contracts shall be negotiated on an individual case basis.

VI. TRANSIT SERVICES

City Utilities operates a fixed-route transit system and offers additional paratransit and other related Services. Fares for the transportation of passengers are provided in the Schedule of Fares, approved by City Council and the Board. Services are subject to applicable rules and regulations adopted by the Board.