



AMENDED

ITEM NO. 3

COMMITTEE MEMORANDUM

DATE: January 12, 2020

TO: Finance and Administration Committee

FROM: Rochelle Patterson *[Signature]*
Director of Finance and Administration

SUBJECT: Recommend Approval of a Customer Service Policy and Revised Fees for Reconnection of Service

SUMMARY

Since the merger on January 2018, the retail divisions (Newhall Water Division, Santa Clarita Water Division and Valencia Water Division) were operating under their legacy rules and regulations pertaining to retail customers. Over the past couple of years, the Agency has been able to align customer service practices and processes across all three divisions and has developed a new Customer Service Policy for all retail customers of the Santa Clarita Valley Water Agency which includes the new provisions of Senate Bill 998 regarding discontinuation of domestic water service for non-payment. The residential disconnection policy required by SB 998 is Appendix A-13, and this is a uniform policy, which has already been translated into the required languages.

DISCUSSION

Senate Bill 998 was signed into law at the end of last year's legislative session and the Agency will be required to comply with the Act by February 1, 2020. The purpose of the Act is to provide additional procedural protections to residential water customers before the discontinuation of water service. Under Senate Bill 998, the Agency must adopt a written policy on discontinuation of water service for nonpayment and make it available on the Agency's website. The policy on discontinuation of residential water service for non-payment must be available in English, Spanish, Chinese, Tagalog, Vietnamese, and Korean, and must contain the following information:

1. A plan for deferred or reduced payments;
2. Alternative payment schedules;
3. A formal mechanism for a customer to contest or appeal a bill; and
4. A telephone number for a customer to contact to discuss options for averting discontinuation of residential service for nonpayment.

The attached Customer Service Policy has been reviewed by legal counsel and determined to be compliant with current laws and Senate Bill 998.

In addition to requiring the Agency to adopt a policy on the discontinuation of water service for nonpayment, the Act defines specific procedural requirements that must be undertaken by the Agency before a customer may have service terminated for nonpayment. Many of the Agency's current procedures and practices are in compliance.

Key procedural requirements necessitating revisions to the Regulations Governing Domestic Water Service are:

- Sixty (60) Days Required Before Discontinuation of Service

Current practice would permit the Agency to terminate service for nonpayment about forty-five (45) days after the bill was rendered. This procedural requirement will extend the termination day about ~~fifteen-thirty (1530)~~ days, to ~~seventy-fivesixty (6075)~~ days after the bill was ~~renderedgenerated~~. The proposed amendments to the Regulations Governing Domestic Water Service state that bills are due fourteen (14) days after the bill is generated, as signified by the date of the bill, upon presentment and define delinquency-delinquent as beginning the fifteenth (15) day after the date the bill is ~~renderedgenerated~~.

- Agency Unable to Contact Customer or Adult at the Residence

If the Agency is unable to make contact with the customer, the Agency must make a good faith effort to visit the residence and leave, or make arrangements for placement in a conspicuous place, (a) a notice of imminent discontinuation of service for nonpayment and (b) a copy of the water system’s policy on discontinuation for nonpayment. The Agency will provide this notice prior to termination of service.

- Limit on Reconnection Fees for Low-Income Customers

If a customer demonstrates that he or she has a household income below 200% of the federal poverty level, the Agency must limit the customer’s reconnection fees to no more than \$50 during regular business hours, and \$150 during non-regular hours. The revised fees are reflected in Appendix A-8. Customers that claim to meet the 200% standard will be able to enter into an alternative payment arrangement.

- Annual Reporting

The Agency will be required to annually report to the State Water Resources Control Board the number of times service is discontinued due to inability to pay. This information must also be posted on the Agency’s website. The Agency does not assess income levels and is unable to determine the circumstances that lead to disconnection due to inability to pay, but staff will report all disconnections.

Timeline for Termination of Service

Day	Action	Notes
<u>1</u>	Bill is generated	Becomes payable
<u>15</u>	Bill is Delinquent	
28 - 35	Second Bill Mailed with Past Due Balance	
45	Overdue Notice Generated	Late Fee \$25
6076	Termination of Service	Disconnection Fee \$30

Customer will be charged a Restoration Fee of \$30 - \$90 (Appendix A-8) to restore service after termination.

FINANCIAL CONSIDERATIONS

Staff expects a minimal loss of revenue due to customers 200% or below the federal poverty line but will expect some revenue delays due to the extension of the discontinuation requirements.

RECOMMENDATION

The Finance and Administration Committee recommends that the Board of Directors approve the attached Customer Service Policy and revised fees for reconnection of service.

RP

Attachments

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POLICIES, RULES AND REGULATIONS

Title: **CUSTOMER SERVICE POLICY**

Approval Date: February 2020

Effective Date: February 2020

Approved By: Board of Directors

DMS #18986

The attached “POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NON-PAYMENT” in Appendix 13 is provided in English. If you require the attached Policy in a different language, please contact our office at (661) 294-0828 and we will provide you with a translated Policy in that language.

Se proporciona la “POLITICA SOBRE INTERRUPCIÓN DE SERVICIO RESIDENCIAL DE AGUA POR FALTA DE PAGO” adjunta en inglés. Aviso adjunto en inglés. Si usted requiere la Política adjunta en español, favor de comunicarse con nuestra oficina al (661) 294-0828; www.yourscvwater.com y le proporcionaremos una política traducida al español.

隨附的“停止為不付款人士提供住宅供水服務政策”是以英文提供。如果您需要中文版的政策，請撥打 (661) 294-0828 www.yourscvwater.com 聯繫我們的辦公室，我們會為您提供一份翻成中文的政策。

Kèm theo đây là bản tiếng Anh “ĐIỀU KHOẢN VỀ VIỆC NGỪNG CẤP NƯỚC TRONG NHÀ KHI KHÔNG TRẢ TIỀN”. Nếu bạn cần Điều Khoản kèm theo trong tiếng Việt, xin liên lạc văn phòng chúng tôi tại (661) 294-0828 www.yourscvwater.com và chúng tôi sẽ cung cấp cho bạn bản Điều Khoản được dịch sang tiếng Việt.

“미납에 따른 주거용 수도 공급 중단에 관한 정책” 첨부 문서는 영어로 제공됩니다. 첨부된 정책 문서를 한국어로 받으시려면, 저희 사무실에 (661) 294-0828 www.yourscvwater.com 으로 연락하시고 저희가 한국어로 번역된 정책 문서를 제공하겠습니다.

Ang nakalakip na “PATAKARAN SA PAGTIGIL SA RESIDENSIAL NA SERBISYO NG TUBIG DAHIL SA HINDI PAGBABAYAD” ay ibinibigay sa Ingles. Kung kailangan mo ang nakalakip na Patakaran sa Tagalog, makipag-ugnay sa aming tanggapan sa numerong (661) 294-0828 www.yourscvwater.com at bibigyan ka namin ng Paunawang isinalin sa wikang Tagalog.

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POLICIES, RULES AND REGULATIONS
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Title: CUSTOMER SERVICE POLICY	
Approval Date: February 2020	Effective Date: February 2020
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CUSTOMER SERVICE POLICY

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PART 1 – DEFINITION OF TERMS

1.1 AGENCY DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of words or terms used in these Regulations shall be as follows:

AGENCY – The Santa Clarita Valley Water Agency, organized and operated pursuant to the provisions of Senate Bill 634.

APPLICANT (PROPOSED CUSTOMER) – Any person, firm, corporation, association or agency who desires to obtain Domestic Water Service from the Agency.

APPURTENANCES – Meter stop, check valve, back flow prevention device, shut-off valve and any other devices.

ASSESSOR’S PARCEL NUMBER – A number assigned by tax assessor in order to identify a particular Property.

BILLING – Monthly statement sent to account holder(s) which includes bill detail, bill summary, account information, water use history and water efficiency target.

BOARD – The Board of Directors of the Santa Clarita Valley Water Agency.

BUILDING UNIT – Any unit of nonresidential development.

CLASS OF SERVICE – Based on intended usage of meter.

CONSUMPTION CHARGE – A monthly quantitative charge for the amount of water delivered to a Property, either metered or estimated. Consumption charge shall be billed as a price per 100 cubic feet of water delivered in accordance with the rate structure.

CROSS CONNECTION – Any unprotected actual or potential connection between any part of a potable water system used or intended to supply water for drinking purposes and any source or system containing water or a substance that is not or cannot be approved as safe, wholesome and potable for human consumption. Bypass arrangements, jumper connections, or other devices through which backflow could occur shall be considered cross connections.

CUSTOMER – Any Person, Property Owner, Tenant, firm, corporation, association or agency who uses or desires to obtain Domestic Water Service from the Agency.



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CUSTOMER SERVICE LINE – The Customer’s facilities including pipe, fittings and appurtenances extending from the outlet of the shut-off valve downstream of the Agency’s meter, check valve or backflow prevention device.

~~**DELINQUENCY-DELINQUENT**~~ - The bill for Domestic Water Service is due on the Due Date fourteen (14) days after the bill is generated and Domestic Water Service is subject to termination if the bill is not paid within sixty (60) sixty seventy-five (60/75) days from the Due Date such presentation generation.

DEPOSIT – Monies required to be deposited with the Agency for the purpose of guaranteeing payment of monthly bills rendered for water service.

DISCONNECTION/RESTORATION FEE – A disconnection or restoration fee will be charged to turn off or on Domestic Water Service that is shut off or turned on due to involuntary termination.

DIVISION – Identifies legacy retail divisions: Newhall Water Division (NWD), Santa Clarita Water Division (SCWD), Valencia Water Division (VWD).

DOMESTIC WATER SERVICE – Domestic Water Service shall include the delivery of domestic water for any purpose to a residential Customer, nonresidential Customer, commercial or industrial Customer, governmental Customer or institutional Customer, and the delivery of domestic water for public and private fire protection service.

DOMESTIC WATER SERVICE INFRASTRUCTURE (WATER SYSTEM) – The water pipelines, booster stations, wells, treatment facilities, reservoirs, and appurtenances, constructed by or for the Agency, whether acquired by the Agency, for the purpose of providing Domestic Water Service.

DUE DATE – The date on which pPayment for Domestic Water Service is due, which is on the fourteenth (14) day after the bill is generated, as signified by the date of the bill.

DWELLING – Any building that contains one or two dwelling units, intended or designed to be built, used, rented, leased, let, hired out to be occupied or that is occupied for living purposes.

DWELLING UNIT – A single unit requiring Domestic Water Service and intended to be a complete independent living facility for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, including but not limited to, family residence, each unit of a duplex, each unit of an apartment, condominium, each recreational vehicle and each trailer park space.

GENERAL MANAGER – The General Manager of the Agency or his/her appointed representative.



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LIEN – The process of levying property to recapture unpaid charges for water and other services.

MASTER METER LOCATION – (master account/master location) a collection of subaccounts whose meters are all of the same class of service, sharing an aggregated water target, for which the customer receives one bill.

METER INSTALLATION CHARGE – The Agency’s charge for installing only the meter.

MONTHLY SERVICE CHARGE – The monthly charge levied to a Property for the benefit of having Domestic Water Service available to the Customer. This does not include the consumption charge for water.

OFF-SITE FACILITIES – Facilities under the ultimate control of the Agency including but not limited to water pipelines, reservoirs, pumping stations, fire hydrants, valves, connections, supply interties, treatment facilities, and other appurtenances and Property up to the point of connection with the On-site Facilities.

ON-SITE FACILITIES – Facilities under the ultimate control of the Agency including but not limited to water pipelines, reservoirs, pumping stations, fire hydrants, valves, connections, supply interties, treatment facilities, and other appurtenances and Property located within a Subdivision or Tract.

PARCEL – Generally refers to a piece of land that cannot be designated by a lot number.

PERMANENT SERVICE CONNECTION – A Service Connection that is intended to provide continuous Domestic Water Service.

PERSON – Any individual, firm, company, corporation, association, political subdivision, city, county, Agency, the State of California, or the United States of America or any department or agency of any thereof. The singular in each case shall include the plural.

POTABLE WATER – Water furnished to the Customer which meets applicable local, state and federal standards for drinking water.

PRIVATE FIRE PROTECTION SERVICE CONNECTION – The Agency’s facilities including pipe, fittings and appurtenances, extending from the Domestic Water System to the private fire protection system.

PRIVATE FIRE PROTECTION SYSTEM – The Customer’s facilities including pipe, fittings and appurtenances extending from the outlet of the gate valve downstream of the Agency’s meter, check valve or backflow prevention device used exclusively for fire protection and/or suppression.



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PROPERTY – Any Property, including any lot, parcel, premises, dwelling unit or building unit or portion thereof that is the subject of a request for service or to which service is being rendered.

PROPERTY OWNER or OWNER – Any person, agent, firm or corporation having legal or equitable interest in the Property.

REGULATIONS or POLICY – The current edition of, and any amendments or revisions to, the Agency’s Regulations or Policy Governing Domestic Water Service.

RENDERED – Presented for payment or consideration. A bill is considered rendered when it is delivered to the U.S. Post Office, sent electronically or by other means is presented for payment.

RESIDENTIAL DISCONTINUATION POLICY – The Agency’s Policy on Discontinuation of Residential Water Service for Non-Payment, in the form attached as Appendix A-13 and related translations into Spanish, Chinese, Korean, Vietnamese and Tagalog.

RESIDENTIAL FIRE SPRINKLER SYSTEM – A fire sprinkler system required by California Residential Code, Title 24, Part 2.5 which is incorporated as part of the Customer Service Line.

RESTORE – To reestablish water delivery to a Property or parcel when water has been terminated.

SERVICE AREA – The area within the current Agency Domestic Water Service Boundary as approved by the Los Angeles County Local Agency Formation Commission (LAFCO).

SERVICE CONNECTION – The Agency’s facilities including pipe, fittings, meter, meter box and check valve or backflow prevention device and shut-off valve, extending from the Agency’s domestic water main to the outlet of the shut-off valve downstream of the meter, check valve or backflow prevention device.

SUPPLIER – Santa Clarita Valley Water Agency

TEMPORARY SERVICE CONNECTION – A Service Connection that is intended to provide Domestic Water Service during construction or other use of a limited duration.

TENANT – A person who rents or leases a unit which he/she does not own.

WATER AVAILABILITY – Domestic Water Service is considered to be available to Property or to premises if the Water System has been constructed and is available for



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Service as provided for in these Regulations.

WATER AVAILABILITY CHARGE – The annual charge levied against lands to which Domestic Water Service is available whether the Service is used or not.

WATER TARGET – Amount of water designated to a specific property based on water use efficiency.

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PART 2 – AUTHORITY

2.1 General Provisions

2.1.1 Board

The Board may change these regulations as it deems necessary.

2.1.2 General Manager

The General Manager may prescribe and enforce additional regulations not in conflict with these Regulations to implement the application, administration, interpretation and enforcement of these Regulations.

2.2 Inspectors

2.2.1 Entry to Premises

The General Manager and other duly authorized employees of the Agency bearing proper credentials and identification shall be permitted to enter upon all Property for any purpose properly connected with the Agency’s operation.

2.2.2 Credentials

No Person who is not an authorized officer or employee of the Agency shall have, wear, or exhibit any badge or credentials of the Agency. Authorized Agency staff, officers and employees shall have, wear or exhibit badge and/or Agency credentials.

2.3 Fees, Charges and Services

Fees, charges and services are nonrefundable and nontransferable; however, under special circumstances, the General Manager or designee may grant a refund of fees or charges at his/her discretion.

2.4 Policy Exceptions and Exemptions

Exceptions or exemptions from these Regulations shall be approved by the Board of Directors. This provision does not apply to the waiver of one-time charges or fees.



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PART 3 – SERVICE CONNECTION

3.1 General Provisions

3.1.1 Types

The Agency will install two types of Service Connections, a Permanent Service Connection or a Temporary Service Connection.

1. Class of Service

A Class of Service will be assigned to each meter at the time of application. This Class of Service will be assigned based upon the intended usage of this meter. Change of intended usage must be reported to the Agency by the Customer within five (5) business days. Change in intended usage must be approved by the Agency and may be subject to additional fees and/or charges.

3.1.2 Installation

Only authorized employees or agents of the Agency shall install a Service Connection to active water mains. In special circumstances, Contractors are permitted to install Service Connections to water mains when prior approval is given by the Agency.

3.1.3 Responsibility

The Agency owns, operates, and maintains the Service Connection. The Property Owner is responsible for the Customer Service Line.

3.2 Permanent Service Connection

3.2.1 General Provisions

1. Water Service for New, Single and Multiunit Residential and Mixed-Use Structures:

The Agency policy requires all individually owned residential properties to be metered individually through an Agency meter. Master meters are not allowed for individually owned residential properties. Multiunit Residential or Mixed-use Structures that are sublet may be eligible for master meter(s) at the sole discretion of the Agency. In the event the Agency allows for the installation of a master meter, it is the Developer's responsibility to comply with all laws and



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regulations governing the approval of submeters for new Multiunit Residential and Mix-used Structures where the Agency is providing master meter(s), including, but not limited to, the California Plumbing Code, California Water Code and Senate Bill-7 (SB-7).

Before the Agency will provide water service to the Development (or a portion or phase thereof), the Developer shall provide the Agency with a written plan for compliance with SB-7. The written plan must describe the provisions for the installation of submeters for each unit in compliance with all laws and regulations governing the approval of submeters, including the maintenance, reading, billing, and testing requirements. The Agency policy also requires separate meters for irrigated landscapes in accordance with California Code of Regulations Section 492.7 and California Water Code Section 535.

Refer to the Agency’s Master Service Agreement, General Provisions, Section 5.6 for additional information.

All restaurants require a single Service Connection, regardless of whether the restaurant is located within a commercial/industrial building already being supplied water service through a single Service Connection.

2. Responsibility

The Customer and/or Property Owner is responsible for loss or damage to a meter and any Agency owned appurtenances associated with the Service Connection from the time it is installed until the time it is removed.

3.2.2 Location and Size

1. Location

Service Connections in conventional lot Subdivisions shall be installed within five (5) feet of the side Property line except when such placement conflicts with other utilities. In addition, Service Connections shall be installed perpendicular to the water main unless prior approval is obtained by the Agency.

New Service Connections shall not be installed in driveways without prior approval by the Agency. If such approval is granted, then the following conditions shall be met prior to installation:

- a. Property Owner executes a recordable hold harmless agreement for liability and agreeing that the Agency is not responsible for the repair of driveways and other improvements should the repair of the Service



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Connection be necessary.

- b. Installation of a larger traffic-grade meter box with a metal traffic cover.
- c. Property Owner shall be responsible for payment of an additional charge for the installation of the larger traffic-grade meter box and metal traffic cover.

The above conditions are applicable to all existing service connections without meters installed.

Service connections shall be installed outside decorative paving areas whenever possible. The Property Owner will be required to execute a recordable hold harmless agreement for liability and agree that the Agency is not responsible for the repair of decorative paving and other improvements should the repair of the Service Connection be necessary.

Where the Property does not directly abut on a public thoroughfare, the Agency, at its option, may provide a Service Connection of conventional length, not exceeding 100 feet, and terminating at some practicable location in public right-of-way and the Applicant shall obtain any required easements and provide its connection thereto.

Under no circumstance shall Service Connections be installed in medians and/or islands in any public thoroughfare.

2. Looped Metered Connections

Service provided to a location that has its own distribution system that is looped and connected to Agency facilities by two (2) or more meters shall be provided with an approved type backflow prevention device immediately downstream of each metered connection as specified in Appendix E.

3. Size

The size (diameter in inches) of a Service Connection shall be based upon required flow and intended use for the Property. Service Connections to a Dwelling Unit shall be a minimum of 1 inch in diameter unless otherwise approved by the Agency. The Agency reserves the right to determine the type of any backflow preventer or other appurtenances required for the installation.



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4. Appurtenances

Meter Stop, Check Valve, Backflow Prevention Device and Shut-off Valve:

All Service Connections will have a meter stop on the inlet side of the meter, for exclusive use by the Agency, and a shut-off valve downstream of the meter, check valve or backflow prevention device. If the meter stop, check valve, backflow prevention device or shut-off valve is damaged, the Property Owner will be responsible for the costs to replace the damaged component(s).

5. Meter

Each Service Connection shall be metered. Customarily, the meter will be installed in public Property adjacent to the curb or Property line, but, at the option of the Agency, it may be installed on the Property in an appropriate meter box. No rent or other charge will be paid by the Agency for a meter located on the Property.

If a meter is damaged or tampered with, the Agency will charge the Property Owner for the replacement or repair of the meter.

6. Meter Box

If the meter box is damaged by the Customer, the Agency may charge the Property Owner for the replacement or repair of the meter box.

The meter box shall be accessible to the Agency at all times. The Agency will not be responsible for damage to improvements (i.e. landscaping, decorative paving) installed by the Property Owner or Customer within public Property or an easement around the meter box.

7. Additional Appurtenances

In some locations within the Service Area, additional appurtenances, including but not limited to pressure reducing valves, may be required. The additional appurtenances are always installed on the Customer Service Line; therefore, the Property Owner is responsible for operation and maintenance of the appurtenance once installed.

8. Charge

The charge for installation of a Permanent Service Connection is the



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responsibility of the Customer.

9. Relocation or Extension

The charge for relocation or extension of a Permanent Service Connection will be the responsibility of the Customer.

3.2.3 Request for Changes in Meter Size, Removal, Land Use or Inclusion of Additional Land Area

A request for changes in meter size, removal, land use or inclusion of additional land must be made in writing by the Customer of record in such format as defined by the Agency. The Customer shall be solely responsible for all costs associated with changes in meter size, removal, land use or inclusion of additional land area. The Agency may approve requests to remove, increase or reduce meter sizes, in its reasonable discretion, and may impose conditions including, but not limited to, the following: 1) submission of minimum fire flow requirements for the subject Property and compliance with said requirements; and 2) submission of landscape plans in accordance with the Agency’s landscape and irrigation practices.

1. Meter Size Increase or Reduction

There is a fee to install a new meter to achieve the requested meter size change. Customer shall pay for the actual costs incurred by the Agency.

2. Meter Location Change

If the Customer desires a change in location of the meter, such change may be affected with the mutual agreement of the Agency and the property owner, and the owner/Customer shall pay for the actual costs incurred by the Agency.

3. Meter Removal

Customer must sever their connection from the water meter and appurtenances prior to the Agency removing the meter. The Agency will not perform any plumbing work on the Customer Service Line. The Customer will be required to perform any and all plumbing work necessary to prepare for the meter and appurtenance removal, including securing/capping off the Customer Service Line. Customer shall pay for the actual costs incurred by the Agency.



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4. Change in Land Use

The Customer/property owner shall notify the Agency of any change in the character or use of the property or buildings from that for which the service connection was originally obtained. If a residential property is to be reclassified or used as commercial or industrial or vice versa, the property owner shall pay any additional charges that may be applicable by reason of the reclassification. In all cases the Agency’s determination of the property’s zoning classification or use will be final, subject to an appeal to the Board.

5. Inclusion of Additional Land Area

The Customer/property owner shall notify the Agency of any additional land area or adjacent lots not served at the time of original commencement of service that are to be served from the existing service connection. The Agency reserves the right to designate the type of meter, limit the number of buildings, separate houses, living or business quarters, and the area of land under one ownership to be supplied by one service connection.

3.3 Temporary Service Connection

3.3.1 General Provisions

1. Purpose

Provided no undue hardship is caused to customers, the Agency will furnish temporary service for construction purposes when the applicant has requested service on this basis, or the Agency reasonably expects the service to be temporary and the applicant has paid advances and established credit. The Agency contemplates temporary service will be provided for a term of six (6) months or less, and requires the applicant to comply with the following:

2. Advances

The applicant must advance to the Agency the estimated net cost of installing and removing the facilities necessary to furnish the service.

3. Deposits/Establishment of Credit

The applicant must deposit a sum of money equal to the cost of the meter and the estimated bill as established by the Board. If the duration of service is



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to exceed one month, then the applicant must establish credit in the same manner as is prescribed for permanent service.

4. Rates, Charges and Conditions of Service (Construction Meter)

The rates, charges and conditions for temporary service will be the same as those prescribed for permanent service, plus additional costs as set forth in Appendix A-7. The monthly service charge will be prorated and charged on a daily basis.

5. Connections to Fire Hydrants

Fire hydrants connected to Agency mains are for use by the Agency and by organized fire protection agencies. Other parties desiring to use water from fire hydrants for any purpose must obtain written permission from the Agency and from the appropriate fire protection agency prior to use and shall operate the hydrant according to the instructions issued by the Agency. Unauthorized Water Use will be subject to penalty as prescribed in Section 6.2.10 and will be prosecuted according to law. Notwithstanding all other penalties, charges for unauthorized use of water through fire hydrants will be subject to the appropriate penalty specified in Appendix A-10 along with any applicable charges.

6. Water for Construction Needs

All requests for construction water shall be made on an approved application form available in the Agency office and accompanied by the appropriate deposit amounts as stated in that form. Any costs involved in supplying such connections will be prepaid by the applicant.

7. Tank Trucks – Back Flow Devices

Service to tank trucks will be provided only where an approved backflow prevention device is used, in accordance with the Agency’s Cross-Connection Control Program.

8. Duration

A Temporary Service Connection will be disconnected and terminated within six (6) months after installation unless the Customer applies for and receives a written extension of time from the Agency. The Agency has the right to terminate a Temporary Service Connection at any time without notice to the Customer.



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9. Responsibility

The Customer is responsible for loss or damage to a meter and any Agency owned appurtenances associated with the Temporary Service Connection from the time it is installed until it is removed, or until 48 hours after notice in writing has been received by the Agency that the Customer wants the Temporary Service Connection disconnected.

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PART 4 – APPLICATION FOR SERVICE

4.1 General Provisions

A person who takes possession of premises and uses water without applying for water service is liable for all water delivered from the date of the last recorded meter reading; if the meter is found inoperative, the quantity of water delivered will be estimated. If proper application for service is not made within 48 hours after initial notification that failure to do so will result in termination of water service to said location, or if accumulated bills are not paid upon presentation, water service shall be discontinued as provided in the notice.

4.2 Application for Service:

A request for service must be made by each Applicant for Domestic Water Service in such format as defined by the Agency. The Agency may establish reasonable means to verify Applicant’s identity. Upon verification of Applicant’s identity, the Agency may provide for written applications to be completed and accepted electronically, by mail, in person or other appropriate means of delivery. An Applicant may be required to establish credit worthiness as provided in Section 4.2.2. There is a fee to establish or transfer an account if the Agency approves the application for service. The fee is listed in Appendix A-11. Upon Agency’s acceptance of application, Domestic Water Service will be established within two business days. The Agency may discontinue service if an application is erroneous, not complete, and the errors are not cured by the Property Owner after notice deemed adequate by the Agency. All Applicants will be advised of this provision when the Agency is contacted for service.

Each time there is a change of Customer (either Property Owner or Tenant) on any commercial or industrial Property, the new or previous Property Owner or Customer shall notify the Agency immediately.

4.2.1 Property Damage Waiver Agreement

Applicants will be required to execute the Application Agreement, by which the customer acknowledges receipt of certain information regarding the chemical analysis of Agency water and waives any claim for damages to their pipes and plumbing fixtures as a result of their use of Agency water.

4.2.2 Establishment of Credit

The Agency requires Applicants to provide the Agency with information sufficient to determine the credit worthiness of the Applicant. Upon determining the



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Applicant's credit worthiness, the Agency may require the Applicant to deposit with the Agency such sums of money as determined by the Board from time to time.

1. Upon receipt of completed Application for Service form and connection for water service has been established, said Applicant is considered a Customer.
2. Deposits will be refunded to a Customer at the termination of water service, provided all water charges have been paid. No interest will be paid on Customer deposits.
3. A new Application for Service for any Customer will be granted only if all assessments, fees, charges, delinquent water bills, and penalties due and charged to or against said Customer, have been fully paid.

4.2.3 Deposit Based Upon Poor Payment History

The Customer shall be required to deposit with the Agency such sums as specified in Appendix A-11 in the event: (i) the Customer's service is disconnected for non-payment, as provided in Section 9; or (ii) upon the Customer having been assessed a Late Fee for an Overdue Notice, as provided in Section 6.2.3, twice in a 12-month period.

4.2.4 Waiver of Deposit

Public Agencies will not be subject to the deposit requirements stated above.

4.2.5 Return of Deposit

Where the Customer has maintained their payment history in good standing for one year, the deposit will be credited against their bill.

4.2.6 Bankruptcy

The following rules apply upon receipt of a Customer's bankruptcy notice identifying the Agency as a creditor:

1. The Agency will notify the Customer that their existing account will be closed effective the first available date after receipt of the bankruptcy notice.
2. A new account will be opened for this Customer and is subject to the rules applied to all new individual Applicants for service as stated in Section 7.6 herein.



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3. Any existing Customer’s deposit on file with the Agency will be applied to any outstanding balance on the original account.

4.2.7 Refusal to Serve

The Agency may refuse to serve an applicant for service under the following conditions:

1. If the applicant fails to comply with any of the rules and regulations contained herein.
2. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.
3. If, in the judgment of the Agency, the applicant's installation for utilizing the service is unsafe or hazardous, or of such nature that satisfactory service cannot be rendered or exceeds the normal capacity of the meter service.
4. Where service has been discontinued for fraudulent use, the Agency will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.

4.2.8 Notification to Applicant

When an applicant is refused service under the provisions of this rule, the Agency will notify the applicant promptly of the reason for the refusal to serve and of the right of applicant to appeal that decision to the Board.

4.2.9 Property Owner Responsibility

Domestic Water Service, and the payment thereof, in all cases, shall be the responsibility of the Property Owner. The Property Owner may authorize, in writing, that a second party, such as a Tenant may establish service in their name and a Tenant or Tenants may establish service as provided in the Residential Discontinuation Policy. The Property Owner shall be held responsible for payment of all amounts due for Domestic Water Service, including all bills, costs, loss, damage, penalties, charges, or fees regardless of user or use. If the Property Owner has authorized a second party, such as a tenant to establish service and receive billing for service, a completed application form shall be required from the second party.

The Agency, as a courtesy, may allow the Property Owner to authorize a Tenant to be billed for service. This courtesy is at the discretion of the Agency and as such, the Agency may transfer service from a Tenant back to the Property Owner



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and refuse to allow future service to be billed to a Tenant. In such circumstances the Property Owner will receive all billing statements.

4.2.10 Description of Property

The Applicant shall describe the Property to be served and only the Property described will receive domestic water through such Service Connection. The description shall include street address, city, Assessor's Parcel Number and other information, including plumbing and building plans, to enable the Agency to determine the level of Cross Connection protection required. The Agency may refuse Domestic Water Service to any Property where apparatus, appliances or equipment using water are dangerous, unsafe or not in conformity with pertinent laws, ordinances, or regulations. The Agency will not assume responsibility for inspecting the Property.

Any alterations to existing facilities on the Property that may affect the level of Cross Connection protection required must be reported immediately to the Agency.

4.2.11 Description of Water Usage

The Applicant shall describe the domestic water demand for the Property to be served, including the required maximum flow (in gallons per minute) and minimum pressure (in pounds per square inch) required at the meter. For Dwelling Units required to install a Residential Fire Sprinkler System, the Applicant shall also provide the type of Residential Fire Sprinkler System (multipurpose or stand-alone), the maximum flow (in gallons per minute) and minimum pressure (in pounds per square inch) required for the Residential Fire Sprinkler System.

4.3 Special Provision

Properties, other than residential, with landscaped areas will be served with a separate service for irrigation purposes.

4.4 Prior Service

An Applicant for service may be subject to the provisions of Section 7.7 if a delinquency has occurred at the Property or another Property owned by the Property Owner. This provision shall apply to all Domestic Water Services including business and landscape.

The Applicant will not be held liable for any unpaid charges from a prior Customer or Property Owner except those unpaid charges which have been filed as a lien against the Property by the Agency under the provisions of California Water Code Section 31701.5.



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A new Property Owner assuming existing liens on Property shall be required to pay all unpaid charges that remain as liens against the Property purchased, prior to new Domestic Water Service being established.

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PART 5 - RULES APPLICABLE TO EXISTING CUSTOMERS

5.1 Quantities

The Agency will endeavor to supply water dependably and safely in adequate quantities and pressures to meet the reasonable needs and requirements of Customers.

5.2 Quality

The Agency will endeavor to supply water for domestic use or human consumption that is potable, not harmful to human health, free from objectionable taste, odor or color, and within health standards.

5.3 Responsibility for Loss or Damage

Customers shall accept such conditions of pressure and service as are provided by the Agency system and hold the Agency harmless for any loss or damage to Customers resulting from the Agency's failure to meet the service goals stated within this section, or due to any interruptions in service. Customers shall at all times be in compliance with current California Plumbing Code.

5.4 Conditions of Service

5.4.1 Notices

1. Notice to Customers

Notice to a Customer will normally be by telephone or in writing and may be delivered electronically or mailed to the customer's last known address. In emergencies or when circumstances warrant, the Agency, where feasible, will endeavor to promptly notify the customer affected and may make such notification orally, either in person or by telephone, or by leaving a written notice on the door.

2. Notice from Customers

Customer may make notification in person, by telephone or by letter to the Agency at its office.

Change in Customer's Equipment, Operations or Land Use

- a. A Customer making any material change in the size, character, or extent of the equipment, operations, or nature of land use shall immediately give the Agency written notice of the nature and extent



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of the change, and if necessary, amend their application for water service. Any and all modifications to the service must be approved by the Agency.

3. Continuity of Service

The Agency expressly reserves the right to restrict, curtail, allocate or apportion Agency water supplies as necessary, in the sole discretion of the Agency.

a. Emergency Interruptions

The Agency will make all reasonable efforts to prevent interruptions to service and, when such interruptions occur, will endeavor to re-establish service with minimal delay consistent with the safety of the Agency's customers and the general public.

Where an emergency interruption of service affects the service to any public fire protection device, the Agency will promptly endeavor to notify the Fire Chief, or other public official responsible for fire protection, of such interruption and of subsequent restoration of normal service.

b. Scheduled Interruptions

Whenever the Agency finds it necessary to schedule an interruption to its service, it will, where feasible, notify all Customers to be affected by the interruption, stating the approximate time and anticipated duration of the interruption. Scheduled interruptions will be made at such hours as will be least inconvenient to the Customers consistent with reasonable utility operations.

Where public fire protection is provided by the mains affected by the interruptions, the Agency will promptly endeavor to notify the Fire Chief, or other officials responsible for fire protection, of the interruption. In addition, the Fire Chief or other official responsible for fire protection will be notified upon restoration of service.

c. Apportionment of Supply during Water Shortages

During times of impending or actual water shortage, the Agency will apportion its available water supply among its Customers as directed by the appropriate state and local authorities. In the absence of direction from such authorities, it will apportion the supply in the



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manner that appears most equitable under the circumstances, with due regard to public health and safety.

5.4.2 Ownership of Facilities on Customer's Premises

The service lateral, meter, and meter box or other facilities furnished at the Customer's expense, whether located wholly or partially upon a Customer's premises, are the property of the Agency. No rent or other charge will be paid by the Agency where the Agency-owned service facilities are located on a Customer's premises.

5.4.3 Agency Access to Customer's Premises

The Agency shall at all reasonable hours have access to meters, service connections and other equipment or facilities owned by it which may be located on Customer's premises for purposes of installation, maintenance, operation or removal of the equipment at the time service is to be terminated. The property owner or customer shall maintain the meter box area free and clear of any obstruction preventing clear access to Agency facilities.

The Customer's system shall be open for inspection at all reasonable times to authorized representatives of the Agency. Any inspection work or recommendations made by the Agency or its agents in connection with plumbing or appliances, cross-connections or any use of water on the Customer's premises, either as a result of a complaint or otherwise, may result in a charge to the Customer.

5.4.4 Service Calls

Where the Agency requires access to the Customer's premises for maintenance, service, or otherwise, and the Customer's presence is required for such service call, the Agency shall give the Customer a four-(4) hour period during which the service call shall be made.

5.4.5 Agency's Responsibilities for Damage or Loss to Customer

The Agency will not be responsible for any loss or damage caused by any negligence or wrongful act of a Customer or of a Customer's authorized representatives in installing, maintaining, operating or using any or all appliances, facilities or equipment that is supplied.

5.4.6 Customer's Responsibility for Agency Property

The Customer may be charged for damage to Agency's meters and other property



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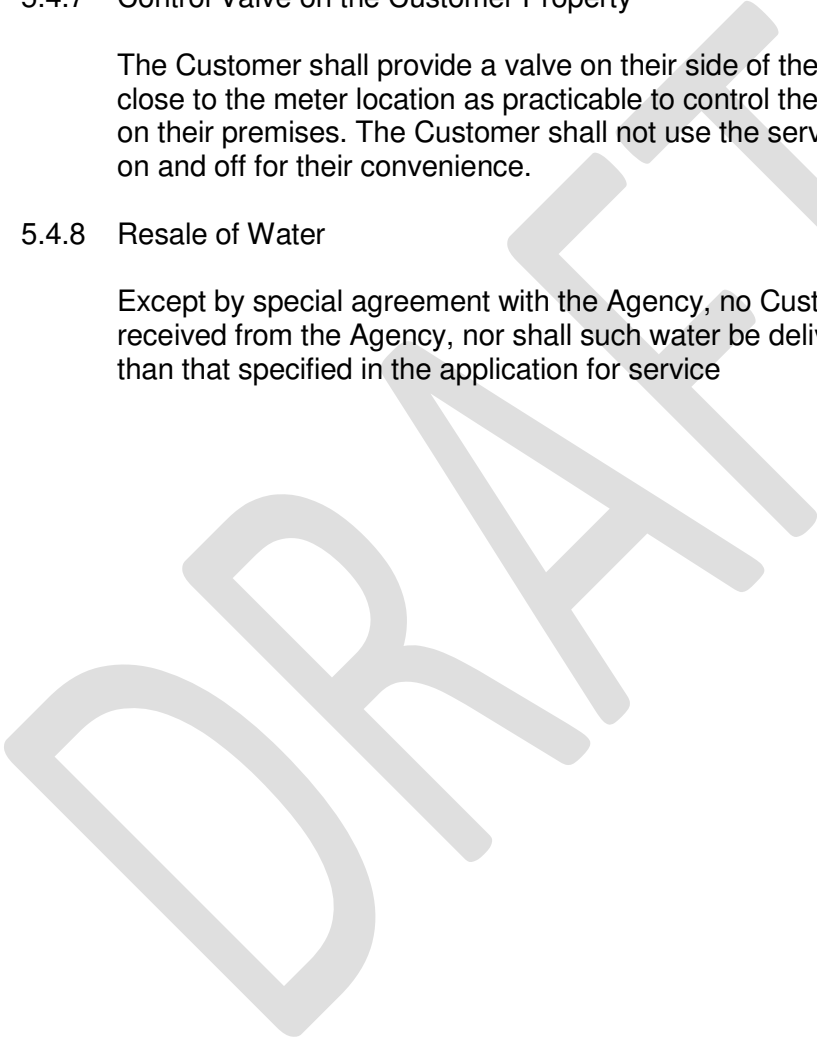
resulting from the use or operation of appliances and facilities on Customer's premises, including but not limited to damage caused by steam, hot water or chemicals, or the breaking or destruction of locks on or near a meter. The Agency at the customer's expense shall repair all such damage. Costs for repairs may be added to the customer's water bill.

5.4.7 Control Valve on the Customer Property

The Customer shall provide a valve on their side of the service installation, as close to the meter location as practicable to control the flow of water to the piping on their premises. The Customer shall not use the service curb stop to turn water on and off for their convenience.

5.4.8 Resale of Water

Except by special agreement with the Agency, no Customer shall resell water received from the Agency, nor shall such water be delivered to a property other than that specified in the application for service





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PART 6 – RATES AND CHARGES

6.1 General Provisions

For all metered Service Connections located within or outside the boundaries of the Agency, the monthly charge for service will consist of a Monthly Service Charge based on the size of the meter and a Consumption Charge (quantitative charge). Property owners with an installed meter, whether the water service is on or off, are held responsible for and required to pay the Monthly Service Charge. In addition to these charges a Cross Connection protection charge will be applicable to all meters with such devices installed.

6.2 Monthly Service Charge

6.2.1 General Provisions

Rates and charges for water service and other miscellaneous charges are set by the Board of Directors. When Service is started or terminated during the month, the Monthly Service Charge will be prorated by day based on a 30-day billing period. Current rates and charges are set forth in Appendix A-2.

1. Water Availability Charge

The availability charge is a "base" monthly charge, and depends on the size of a Customer's meter, and is fixed regardless of the quantity of water consumed. Current rates are set forth in Appendix A-2.

2. Quantity Rates

The quantity rate is applied to the Customer's water consumption. Current applicable rates are set forth in Appendix A-5.

3. Water Revenue Adjustment Surcharge/credit

Any increase/decrease in the water revenues which recovers any shortage of commodity revenue due to inflation attributed to fluctuations in real demand through application of the revenue adjustment formula may, at the discretion of the Board, be passed through directly to Agency customers as a rate adjustment per Government Code Section 53756, on the basis of volume of water consumed.



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4. Out of Agency Service

Customers located outside of the Agency may be charged rates for water service that are different than those charged to customers within the Agency, based upon the reasonable cost to the Agency of providing service to property outside its service area, as determined by the Board from time to time. Rates are set forth in Appendix A-12.

5. Tank Truck Service Rates

Any person desiring service for tank trucks may, upon application and payment of a deposit equal to the cost of the meter plus a non-reimbursable charge for meter installation and removal may obtain water from such places as the Agency shall from time to time designate, and shall pay monthly in accordance with the rates set forth in Section 6.2.13 and Appendix A-7.

In the event said construction meter is damaged, lost or stolen, or not returned, the deposit shall be forfeited.

6.2.2 Miscellaneous Fees and Charges

In order to recover the cost associated with late payments, disconnections and other damages sustained by the Agency, the specified items listed below are charged to Customers; the dollar amounts associated with each item are determined by the Board and set forth in Appendix A-12.

6.2.3 Late Fee

A Late Fee shall be assessed and applied to the Customer's bill at the time the Overdue Notice is generated as set forth in Section 8.11.

6.2.4 Restoration Fee

If a Customer requests resumption or continuance of service after such service has been disconnected, then the Customer shall pay a restoration fee in addition to any past due user charges, advance payments, or meeting any other conditions set forth by the Agency.

6.2.5 Returned Payment Charge

When a Customer's payment of water service and other charges is returned as non-negotiable for any reason, the Agency shall proceed as set forth in Section II(B)(5) of the Residential Discontinuation Policy.



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6.2.6 Overdue Notice

Where the Agency has been compelled to provide notification of an impending disconnection of water service provided in Section II(B) of the Residential Discontinuation Policy, the Customer shall pay a Late Fee when an Overdue Notice has been generated, in addition to any other applicable charges provided hereunder.

6.2.7 Meter Test Charge/Deposit

The Agency shall endeavor to keep the meters in good condition and registering accurately. Any Customer may request that his meter be examined and tested to see if it is correctly recording water delivered through it. Said request shall be made in writing and shall be accompanied by a deposit, set forth in Appendix A-12.

Upon receipt of such demand and deposit, it shall be the duty of the Manager to cause the meter to be examined and tested. If upon such examination and test the meter shall be found to register over two percent more water than actually passes through it, the meter shall be properly adjusted or another meter substituted therefore, and the deposit shall be returned to the person making the demand and the water bill shall be adjusted proportionately.

If the meter is found to register not more than two percent more water or less water than actually passes through it, said deposit shall be retained by the Agency to partially defray the expense of making the test. All other tests and examinations of meters shall be at the Agency's expense.

6.2.8 Pulled Meter Charge

If a Customer's service has been disconnected and the meter has been "pulled" or removed from the premises, then the Customer shall pay at the Agency office a pulled meter charge equal to the actual expense to the Agency of pulling the meter, and any other applicable charges, before the service and meter can be reconnected.

6.2.9 Unauthorized Connection and/or Water Use

Any person or entity found connecting and/or taking water from or through any of the Agency's facilities without Agency authorization will be assessed a fine payable to the Agency, as set forth in Appendix A-12, in addition to applicable Agency charges for the quantity of water taken. Written notice of the assessment of such fine shall be given by personal service or by registered or certified mail.



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6.2.10 Charge for Turn off at Main

If the water to a property is turned on more than once without Agency authorization, the service may be shut off at the main, and the Customer shall be required to pay, in addition to any other applicable charges, a charge equal to the actual expense to the Agency of restoration prior to the re-establishment of service.

6.2.11 Property Damage

If a Customer, new applicant or developer is found to be responsible for any damage done to Agency property; such damages shall be reimbursed to the Agency at cost plus administrative overhead. If responsibility for damage is not known, charges will be made to the current Customer or property owner.

6.2.12 Temporary Construction Meter Water Service

A Customer, new applicant or developer shall supply a photograph of the construction meter number, numerical read and register to the Agency each month and comply with all terms and conditions as stated on the service application.

Failure to comply with this requirement will result in a monthly Unread Meter Charge as set forth in Appendix A-12.

6.3 Pass-through of Increased/Decreased Cost of Wholesale Purchased Water

Any increase/decrease in the cost of purchased water shall be passed through directly to Agency customers as a rate adjustment per Government Code Section 53756. Such pass through shall be automatically passed through to customers pro rata on the basis of volume of water consumed in accordance with the adopted rates of each division.



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PART 7 – CREDIT

7.1 Establishing

As provided in Section 4.2, the payment of Domestic Water Service, including all bills, costs, loss, damage, penalties, charges, or fees regardless of user or use, in all cases shall be the responsibility of the Property Owner. Each Applicant for Domestic Water Service may be required to establish credit worthiness to the satisfaction of the Agency before service will be rendered. Applicant may establish credit worthiness with no deposit required if the Applicant can show that most recent prior service was not terminated for nonpayment for twelve (12) consecutive months from his/her previous Domestic Water Service provider, even if that provider was not the Agency. Prior service must have been in the Applicant’s name in order to be used for the credit worthiness test.

7.2 Amount of Deposit

Where credit worthiness cannot be established to the satisfaction of the Agency pursuant to Section 4.2, a deposit may be required as provided in Appendix A-11 or an amount equal to, or projected to be, three (3) times the average monthly bill for the preceding twelve-month (12-month) period.

7.3 Refund of Deposit

Residential deposits will be held by the Agency for a period of one (1) year from the date Domestic Water Service is provided to the subject Property. All other deposits will be held until the completion of the project or service is terminated. If Domestic Water Service is terminated during that one-year (1-year) period for nonpayment, the Agency shall retain the deposit until Domestic Water Service is ordered terminated by the Customer. If Domestic Water Service is not terminated during the first year, the Agency shall apply the deposit to the water billing or billings until the amount of the deposit is used in full. In the event the Customer requests termination, the Agency shall refund the remaining balance of any deposit, without interest, and less any accrued but unpaid water billing, within a reasonable time after termination of service. The remaining balance in excess of \$5.00 will be mailed in the form of a check to the customer’s last known address. In the event the Agency discovers damage, theft and/or unauthorized use of Agency facilities, services will be immediately discontinued, and billing of services terminated. All applicable charges and penalties will be deducted from the Customer’s deposit as provided under Conditions of Domestic Water Service, Part 13. Applicable charges and penalties are provided in Appendix’s A-10 and A-12. Any unclaimed deposit shall be held or retained by Agency pursuant to Section 50650, et seq., of the California Government Code or any successor statutes thereto.



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7.4 Joint Service

No joint service is allowed. An individual party will be solely liable for payment of bills. In those instances where more than one party applies for service, each party shall be severally liable for payment of bills.

7.5 Re-establishment of Credit

Subject to the provisions of the Residential Discontinuation Policy, a Customer whose service has been discontinued for nonpayment of bills will be required to pay any unpaid balance due the Agency for the premises for which service is to be restored and may be required to pay a restoration fee as prescribed in Sections 6.2.4 and 6.2.5 under "Late or Restoration Fee" before service is restored by Agency personnel. In addition, the Customer will be required to deposit with the Agency such sums of money as determined by the Board from time to time, as specified in Appendix's A-11 and A-12. Deposits collected by the Agency are deposited into an account which does not accrue interest.

7.6 Bankruptcy of Customer

Pursuant to the Bankruptcy Code (Title 11, U.S.C., as amended from time to time), the Agency shall not alter, refuse or discontinue service to, or discriminate against, a Customer, or a trustee of a Customer, solely on the basis that a debt owed by the Customer to the Agency for service rendered before the order for relief was not paid when due. It shall be the responsibility of the Customer to supply the Agency with a copy of any applicable order for relief.

The Agency shall discontinue service if neither the Customer or the trustee, within 20 days after the date of the order for relief, furnishes adequate assurance of payment in the form of an advance payment for service after such date. As used herein, "adequate assurance of payment" shall mean an advance payment in an amount equal to the highest of the last 6 billings rendered to the Customer, or for the Customer's property if Customer has not occupied the property for that period of time, prior to the order for relief.

As used herein, "order for relief" shall have the same meaning as given to it in the Bankruptcy Code. The commencement of a voluntary case under the Bankruptcy Code shall constitute an order for relief. Service may be discontinued in accordance with the rules of the Agency upon non-payment for service rendered after the order for relief.

7.7 Delinquent Account

The bill for Domestic Water Service is due on the Due Date (fourteen (14) days after the bill is generated, as signified by the date of the bill) ~~fourteenth (14) day after bill~~



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~~generation upon presentation~~ and Domestic Water Service is subject to termination if the bill is not paid within ~~sixty-sixty (60) seventy-five (6075)~~ days from ~~the Due Datesuch presentationgeneration~~.

Services terminated for delinquency shall not be restored until all outstanding charges are paid in full, including a fee for restoration of service as provided for in Section 6.2.4 and a late fee as provided for in Section 6.2.3. An updated application may be required.

If the manner of payment of the delinquent amount is not accepted by the paying bank for any reason, and the Agency had properly notified the customer of a pending termination of service per these Rules and Regulations prior to receipt of the rejected payment, Domestic Water Service may be terminated immediately without further notice. Domestic Water Service will not be restored until all outstanding charges are paid in full, including a returned payment charge, as applicable and provided in Section 6.2.5.

A Customer having a delinquent account on one Property may not receive Domestic Water Service on another Property until the delinquent account has been paid, including penalties, if any. A Customer whose Domestic Water Service has been terminated for nonpayment of a delinquent account or whose deposit has been applied in whole or in part to the payment of any delinquent account, will be required to make a cash deposit in accordance with Section 8.21. Additionally, when Domestic Water Service has been terminated for nonpayment, all charges may be transferred to another account held in the sole name of the same Owner and the Owner shall be given written notice of that transfer. This account shall become delinquent if payment is not made within ~~sixty seventy-five (6075)~~ days from the date of ~~delinquency delinquent~~ transfer and will be subject to Part 9, Termination of Domestic Water Service. The Agency may file liens against the Property, or any properties owned by the delinquent Customer within the state of California to enforce collection of delinquent accounts as provided in Water Code Section 31701.5.



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PART 8 – BILLING

8.1 General Provisions

The Property Owner is liable for payment of bills, costs, loss, damage, penalties, charges, or fees regardless of user or use for water or other services provided to the Property for all Domestic Water Service from the acquisition date of the property until such time as the property is transferred to new ownership. The Property Owner is responsible to provide the Agency with a notice to stop Domestic Water Service in a form and manner determined by the Agency in accordance with Section 4.2.9.

8.2 Rendering and Payment of Bills

Bills for service will be rendered on a monthly basis, at the option of the Agency. Bills for service are due ~~and payable upon presentation on the fourteenth (14th) day after generation, as signified by the date of the bill,~~ and Domestic Water Service is subject to termination if the bill is not paid within ~~sixty-sixty (60) seventy-five (60/75)~~ days from the ~~Due Date date of the invoice the bill was generated.~~ In the event the payment is not received by the forty-fifth (45th) day after ~~presentation~~generation, the Customer will be assessed a late charge as specified in Appendix A-12.

Payment may be made at the office of the Agency or to any representative of the Agency authorized to make collections. However, it is the Customer's responsibility to assure that payments are received at the Agency's office in a timely manner.

8.3 Domestic Water Service Information on Bill

The bill may show one or more of the following charges: Consumption Charge, Service Charge, or Special Charge and Total Amount Due. In addition, the bill will show the Customer's account number, the date of billing, the service location, and the address to which the bill was mailed.

The following information may also be included on the bill: Customer's water target for the period, Customer's actual water usage for the period, Customer's water efficiency rating and the Customer's water usage history.

Information shown on the Customer's bill may change at the General Manager's discretion.

8.4 Person to be Billed



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Charges will be the responsibility of the Property Owner. The Property Owner may authorize, in writing, that a second party, such as a Tenant may establish service in their name as provided for in Section 4.2.9, or a Tenant or Tenants may establish service as provided in the Residential Discontinuation Policy. To the extent permitted by law, the Property Owner shall be held responsible for payment of all amounts due for Domestic Water Service, including all bills, costs, loss, damage, penalties, charges, or fees regardless of user or use. The Property Owner may request for a copy of the bill to be sent to the Owner's mailing address as well. The Property Owner shall notify the Agency of any change in the ownership or occupancy of the Property at least two days prior to such change in a manner deemed acceptable by the Agency.

8.5 Payment

The bill for Domestic Water Service is due and payable ~~upon presentation on the~~ fourteenth (14th) calendar day after the bill is generated. A bill will become subject to a late charge if it is not paid within forty-five (45) from the date ~~it is rendered~~ the bill is generated. Domestic Water Service is subject to termination if a bill is not paid within ~~sixty (60) sixty~~ seventy-five (60/75) days ~~from the Due Date~~ after it is rendered ~~generated.~~

8.6 Adjustment of Bill

The Customer may request, in a manner deemed acceptable by the Agency and as specified in Section IV of the Residential Discontinuation Policy, an adjustment to the Domestic Water Service charges billed for one of the following reasons:

8.6.1 Estimated meter reading

8.6.2 Water meter accuracy

8.6.3 Adjustment of bills for excessive consumption

8.7 Estimated Meter Reading

A bill based upon an estimated meter reading, as provided in Section 8.6, may be adjusted at the Customer's request and as approved by the Agency. Billing adjustments related to an estimated meter reading will be limited to the period for which the meter reading was estimated.

8.8 Opening Bills

Opening Bills for less than the normal billing period shall be prorated both as to minimum charges and water consumption.

8.9 Closing Bills



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Closing bills for less than the normal billing period shall be prorated both, as to minimum charges and water consumption.

8.10 Separate Billings for Each Meter

Each meter on a Customer's premises will be considered separately and the readings of two or more meters will not be combined except where the Agency's operating convenience or necessity may require the use of more than one meter or a battery of meters. In the latter case, the meter readings will be combined for billing purposes.

8.11 Late Fee

A late fee of twenty-five (\$25) dollars will be charged when an account has not been paid before the Overdue Notice is generated.

~~8.12 Delinquency~~

A Late Fee will be charged as a domestic water account becomes delinquent provided that: (a) the account has a delinquent balance exceeding twenty dollars (\$20); and (b) are not paid within forty-five (45) days from the date the bill is ~~rendered~~generated. Customers with timely payment histories during the previous 12-month period prior to being charged a Late Fee may have the Late Fee waived upon request. The amount of the Late Fee is set forth in Appendix A-12, as said amount may be revised from time to time.

~~8.132~~ **Alternative Payment Plans**

As set forth in Section III of the Residential Discontinuation Policy, any Customer, who is unable to pay for water service within the normal payment period, may request amortization of the unpaid balance over a period not to exceed twelve months in order to avoid disconnection of domestic service for nonpayment, or may request another type of alternative payment arrangement described in that section. The Agency will consider all circumstances surrounding the request and make a determination as to whether amortization or any other specified alternative payment arrangement is warranted.

~~8.132.1~~ **Amortization Payment Plan**

Upon request from the Customer, an amortization plan or other alternative payment arrangement will be entered into between the Agency and the Customer. The amortization plan will amortize the unpaid balance over a period determined by the Agency, not to exceed twelve (12) months, with payments added to the Customer's regular bill. Any other alternative payment arrangement



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selected by the Agency shall ensure repayment of unpaid amounts within twelve (12) months, subject to further extension at the Agency’s discretion.

The Customer will be charged an administrative fee representing the cost to the Agency of initiating and administering the plan. The plan shall include a charge for interest of ten percent (10%) per annum or the maximum legal rate, whichever is lower, on the unpaid balance, subject to waiver as specified in the Residential Discontinuation Policy.

8.1~~32~~.2 Certification by Physician

See Section II(C) of the Residential Discontinuation Policy with respect to the potential to defer termination of Domestic Water Service.

8.1~~32~~.3 Compliance with Plan

The Customer must comply with the amortization plan, or other alternative payment arrangement, and remain current as charges accrue in each subsequent billing period. The Customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Failure to comply with the terms of an amortization plan for at least sixty (60) days will result in termination of Domestic Water Service as specified in Section III of the Residential Discontinuation Policy and further requests for amortization will not be granted for a period of at least twelve (12) months.

8.1~~43~~ Disputed Bills

See Section IV of the Residential Discontinuation Policy for the required appeals procedures.

8.1~~54~~ Adjustment of Bills for Excessive Consumption

It is the Customer’s responsibility to properly maintain the property’s private plumbing water system, including irrigation systems and water features. A leak in the Customer’s water system is the sole responsibility of the Customer and the Agency charges for all water that records and passes through the water meter. In addition to the appeals process set forth in Section IV of the Residential Discontinuation Policy, if a Customer requests the Agency to review a bill for water service due to excessive consumption, the Agency may grant an adjustment subject to the conditions below.

8.1~~54~~.1 Verified Adjustments

Verified adjustments for high consumption may be granted to Customers when



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there is explained high consumption such as a water leak on the Customer's property. The Agency, after investigation, shall find all of the following:

1. The meter must be re-read, may be field tested, and verified as accurate.
2. The Customer made the request for billing review within 60 days of the first bill date reflecting excessive consumption.
3. Upon notification of excessive water consumption, the Customer took prompt action to locate the leak and complete repairs within 30 days. Notification to the Customer may take the form of a billing statement, written communication to the Customer, a courtesy phone call or a notice left at the property.
4. Proof of repair, including copies of repair bills or photographs, is required.
5. The Customer did not have a verified adjustment in the previous 12-month period prior to the bill with excessive consumption.
6. No adjustment shall be made for any period longer than two consecutive billing periods or for water delivered 30 days after the Agency notifies the Customer of the excessive use.
7. Consumption must have returned to historical use.
8. No more than one verified adjustment shall be made for excessive consumption within a rolling 60-month period.

8.1~~65~~ Agency Initiated Billing Adjustment

If the Agency discovers that a billing error has been made related to meter reading against a Customer's account, the Agency will immediately take all reasonable steps to correct the billing. If the Customer has been under-billed, the Agency reserves the right to go back six (6) months to recalculate the amount due and payable and the General Manager, or designee may provide for reasonable payment arrangements for the balance due to be paid. If the Agency has over-billed the Customer, the Agency shall go back no longer than six (6) months to recalculate the amount of over-billing refund due to the Customer.

8.1~~76~~ Adjustment of Bills for Meter Error

In addition to the appeals process set forth in Section IV of the Residential Discontinuation Policy, the Customer may request an adjustment of the bill because of meter error. Such a request must be made in writing and the rules set forth in Section 6.2.6, Meter Test Charge, will apply. The Agency will proceed, within one week, to test



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the Customer's meter; the meter will be tested in an "as found" condition, in order to determine the average meter error. If the average meter error is found to exceed 2 percent, that is if quantities of water recorded by the meter are outside of a range between 98 percent and 102 percent of the actual quantities of water passed through the meter during the test, the following billing adjustments will be made.

8.1~~76~~.1 Fast Meters

The Agency will refund to the Customer the amount of the overcharge based on corrected meter readings of the period the meter was in use and determined to be incorrect, but not to exceed a period of six months.

8.1~~76~~.2 Slow Meters

The Agency may bill the Customer, at its option, for the amount of the undercharge based upon corrected meter readings for the period the meter was in service and determined to be incorrect, but not to exceed a period of six months.

8.1~~76~~.3 Non-Registering Meters

The Agency may bill the Customer according to an estimate of water consumed while the meter was not registering, but not exceeding a period of six months. This estimate will be based on the Customer's prior use during the same season of the previous year if conditions were unchanged during the year, or on a reasonable comparison of consumption of other similar Customers during the same period.

8.1~~76~~.4 General

If the meter error is caused by some event, the date of which can be determined, then the billing adjustment will be made for the period of time since the date of such event; such a period may exceed the six-month limitation for fast meters and the six-month limitation for slow or non-registering meters, as stated in 1 through 3 above.

8.1~~87~~ Delinquent Bills

The following rules apply to Customers whose bills remain not paid after forty-five (45) days from the date of ~~invoice~~the bill.

8.1~~87~~.1 Small Balance Accounts

In any billing, if less than a minimum bill remains unpaid, it may be carried over,



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and added to, the next billing period.

8.1~~87~~.2 Overdue Notice

If payment for a billing period is not received by the forty-fifth (45th) day after the ~~billing period invoice date~~bill is generated, an Overdue Notice will be mailed to the water service Customer at least seven (7) business days prior to actual disconnection. The Notice will include a late fee. Upon receipt of an Overdue Notice and up to the date set for disconnection, the Customer may request an amortization payment plan or other alternative payment arrangement, as the Agency may select, pursuant to Section 8.13.

8.1~~87~~.3 Notice to Residential Tenants/Occupants in an Individually Metered Residence

See Section II(F) of the Residential Discontinuation Policy.

8.1~~87~~.4 Notice to Tenants/Occupants in a Multiunit Residential Structure with Service through a Master Meter

See Section II(F) of the Residential Discontinuation Policy.

8.1~~87~~.5 Disconnection Deadline

Water service charges and late fees must be paid on or prior to 4:30 p.m. on the day specified in the Overdue Notice.

8.1~~87~~.6 Waiver of Overdue Notices to Public Agencies

Public agencies, because of usual sound financial base and variations in warrant payment procedures, will not be sent delinquent notices for delinquent payment of current accounts.

8.1~~98~~ Notification of Returned Payment Disposition

Upon receipt of a returned ~~check payment~~ taken as remittance of water service or other charges, the Agency will consider the account not paid and may terminate Domestic Water Service as specified in Section II(B)(6) of the Residential Discontinuation Policy. If an Overdue Notice has already been provided to the customer, the Agency may proceed with termination of Domestic Water Service in accordance with that notice if payment is not subsequently made. If an Overdue Notice has not already been provided to the customer and the bill is not yet ~~forty-five (45) days past due delinquent~~, the Agency will promptly notify the customer of the returned ~~check payment~~ and all applicable



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charges. If the bill remains unpaid as of the forty-fifth (45th) day after the bill is ~~rendered~~generated, then the Agency will issue an Overdue Notice to the customer.

Water service will be disconnected if the amount of the returned payment and returned payment charge are not paid on or before the date specified in the Notice of Termination. All amounts paid to redeem a returned ~~check~~payment and to pay the returned ~~check~~payment charge must be cash or certified funds.

8.2019 Returned Checks for Previously Disconnected Service

In the event the Customer tenders a non-negotiable check as payment to restore water service previously disconnected for non-payment, and as a result, the Agency restores service, the Agency may disconnect service notice upon at least three (3) days' written notice.

8.210 Returned Checks Requiring Cash or Certified Funds

Any Customer issuing a non-negotiable check for payment to restore service turned off for non-payment, may be required to pay, for one year, cash or certified funds to have service restored if turned off again within this time period for non-payment.

8.221 Pre-Payment upon Receipt of a Non-Negotiable Check

Any customer issuing a non-negotiable check as payment for water charges may be required to deposit with the Agency such sums as the Agency may establish for re-establishment of credit, as provided in Sections 7.5.

8.232 Create a Lien

If the Customer's bill remains unpaid for ~~sixty-sixty (60) seventy-five (6075)~~ days after the Due Date, after notice to the Customer or the property owner, the Agency may file a Certificate in the Office of the County Recorder specifying the amount of the charges and the name and address of the person liable therefore, which Certificate shall create a lien.

A lien created pursuant to this procedure shall, in the sole discretion of the Agency, attach either to the property to which service was provided, or to any property in the County owned by the individual responsible for payment.



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PART 9 – TERMINATION OF DOMESTIC WATER SERVICE

9.1 Agency Initiated

The Agency has the right to terminate Domestic Water Service if the Customer fails to comply with these Regulations, including the Residential Discontinuation Policy. In addition, if the Customer receives and fails to pay for Agency services or fees, the Agency has the right to terminate Domestic Water Service.

9.2 Termination Procedures

When delinquency occurs, the Agency will provide to the Customer notice of the delinquency and impending termination of Domestic Water Service in accordance with the Residential Discontinuation Policy at least seven (7) business days prior to the proposed termination by telephone, or a notice mailed, postage prepaid, to the Customer's service and billing address. The Agency shall notify the Property Owner or authorized agent of impending termination if Property **eOwners** has authorized a second party to receive billing statements.

If the Agency is unable to make contact with the customer by telephone, and written notice is returned through the mail as undeliverable, the Agency shall make a reasonably good faith effort to visit the residence and leave or make other arrangements for placement in a conspicuous place, a notice of imminent termination of domestic service for nonpayment.

9.2.1 As set forth in Section II(B)(1) of the Residential Discontinuation Policy, the Overdue Notice shall constitute notice of the impending termination of Domestic Water Service and shall include:

1. The Customer's name and address.
2. The amount of the delinquency.
3. The date by which payment or arrangement for payment is required in order to avoid discontinuation of residential service.
4. A description of the process to apply for an extension of time to pay the delinquent charges.
5. A description of the procedure to petition for bill review and appeal.



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6. A description of the procedure by which the customer may request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges, consistent with the Agency’s policy to avoid discontinuation of domestic service for nonpayment.

9.2.2 Customer Appeal

If the Customer appeals their bill and submits a request for account review in accordance with Section IV of the Residential Discontinuation Policy, Domestic Water Service shall not be discontinued while an appeal is pending. The Agency will thereafter determine if Domestic Water Service shall be continued or terminated.

9.2.3 Domestic Water Service through a Residential Master Meter

Before terminating Domestic Water Service to residential Customers served through a master meter or individually metered Domestic Water Service connection in a multiunit residential structure, mobile home park or farm labor camp where the owner, manager or farm labor employer is listed by the Agency as the Customer of record for the Domestic Water Service, the Agency shall provide notice as specified in Section II(F) of the Residential Discontinuation Policy.

9.2.4 No Notice Required

Prior to termination of Domestic Water Service, notice is not required when the illegal noncompliance (i.e., tampering), violation or infraction of these Regulations by the Customer results, or is likely to result, in dangerous or unsanitary conditions on the Property or in the water system or elsewhere. In such cases, the Agency may order immediate termination of Domestic Water Service.

9.3 Termination of Domestic Water Service initiated by the Agency

9.3.1 Termination of Domestic Water Service may also be initiated by the Agency under the following circumstances:

1. Where conditions of use have changed materially to the point where new or additional fees or charges are due or other charges in the Domestic Water Service are required or appropriate but the Customer refuses to agree to the additional fees or charges in the Domestic Water Service, the Agency may terminate the Domestic Water Service; provided, however, that if the reason for the termination is the non-payment of such fees or charges after imposition by the Agency, then the Agency shall comply with the procedures set forth in the Residential Discontinuation Policy.



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2. Where excessive demands by one Customer may result in inadequate Domestic Water Service to others or;
3. To protect itself against fraud or abusive conduct on the part of the Customer and,
4. As provided in this Section and in Parts 4 and 13 of these Regulations.

The Agency shall not terminate Domestic Water Service by reason of delinquency in payment or otherwise cause cessation of Domestic Water Services on any Saturday, Sunday, legal holiday, or at any time when Agency business offices are not open to the public.

9.4 Medical Provision

9.4.1 As provided in Section II(C) of the Residential Discontinuation Policy, Residential Service will not be terminated for nonpayment if all of the following conditions are met:

1. Customer submits certification of a primary care provider that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where service is provided;
2. Customer demonstrates he or she is financially unable to pay for water service within the Agency's normal billing cycle, including if the customer or any member of the customer's household is (a) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (b) the customer declares the household's annual income is less than 200% of the federal poverty level; and
3. Customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for a deferred or reduced payment with respect to all delinquent charges consistent with the Rules and Regulations. The repayment option provided should result in repayment of any remaining outstanding balance within twelve (12) months.

9.4.2 Residential service may be discontinued if:

1. Final notice of intent to disconnect service is posted at the property at least five (5) business days prior to the termination date where either of the following has occurred:



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- a. Customer fails to comply and is at least sixty (60) days delinquent on the amortization agreement, alternative payment schedule or deferred or reduced payment plan; or
- b. Customer fails to pay current residential service charges for sixty (60) days or more while participating in an amortization agreement, alternative payment schedule, or a deferral or a reduction in payment plan for delinquent charges.

9.5 At Customer’s Request

A Customer may have Domestic Water Service terminated by notifying the Agency at least two (2) business days in advance of the desired date of termination and by paying the charge as provided in Section 11.3. The Agency may require the notice to be in the form of writing, either electronic or paper. The Monthly Service Charge will continue to be assessed in accordance with Section 6.2. Domestic Water Service will only be terminated during the Agency’s normal working hours and working days unless approved by the Agency in advance.

9.6 Permanent Termination of Service

A Customer may have Domestic Water Service permanently terminated as provided for in Sections 11.1.



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PART 10 – RESTORATION OF DOMESTIC WATER SERVICE

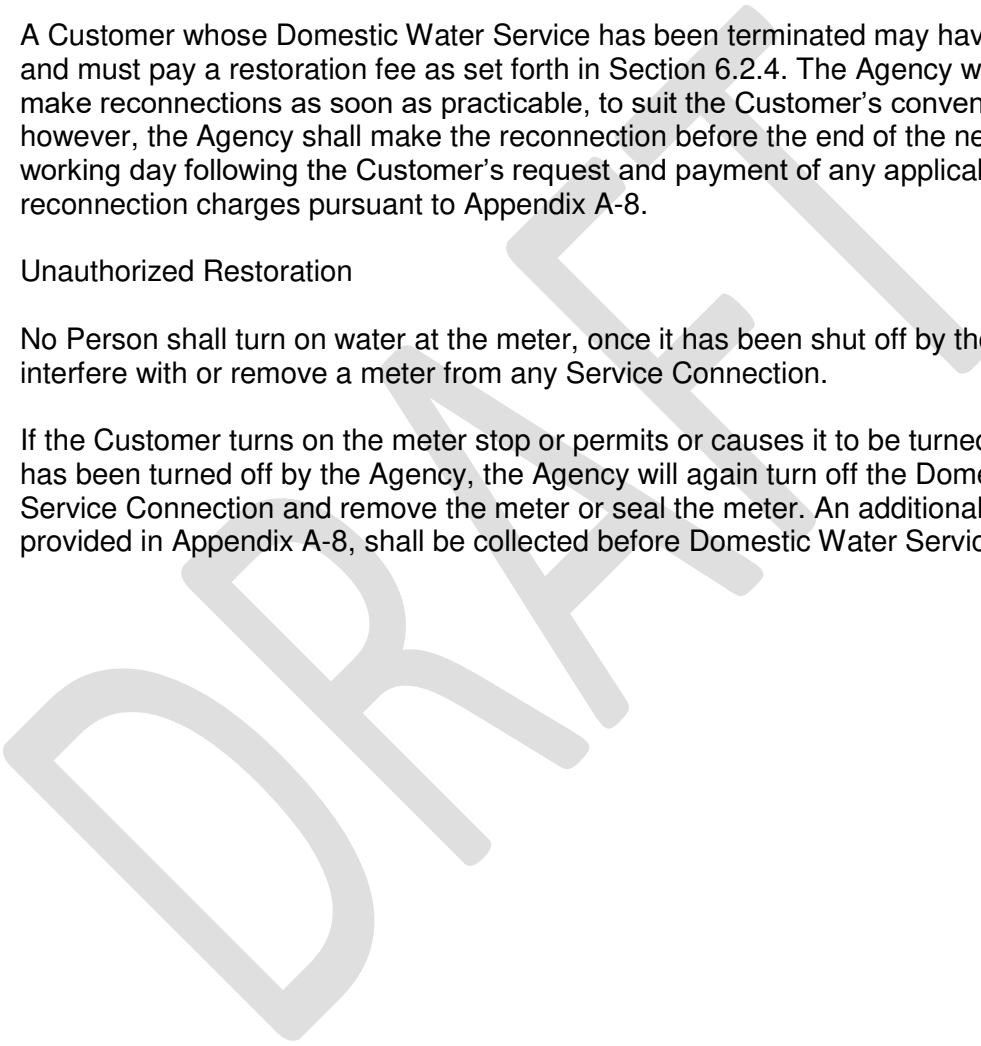
10.1 General Provisions

A Customer whose Domestic Water Service has been terminated may have it Restored and must pay a restoration fee as set forth in Section 6.2.4. The Agency will endeavor to make reconnections as soon as practicable, to suit the Customer’s convenience; however, the Agency shall make the reconnection before the end of the next regular working day following the Customer’s request and payment of any applicable reconnection charges pursuant to Appendix A-8.

10.2 Unauthorized Restoration

No Person shall turn on water at the meter, once it has been shut off by the Agency, or interfere with or remove a meter from any Service Connection.

If the Customer turns on the meter stop or permits or causes it to be turned on after it has been turned off by the Agency, the Agency will again turn off the Domestic Water Service Connection and remove the meter or seal the meter. An additional charge, as provided in Appendix A-8, shall be collected before Domestic Water Service is Restored.





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PART 11 – TURN ON AND TURN OFF PROCEDURES AND CHARGES

11.1 Permanently Discontinue Water Service

A Customer must request that water service be discontinued permanently. Such a request must be made by giving at least two working day’s advance notice to the Agency. If such notice is not given, all charges applied to the Customer’s account will be the sole responsibility of the current Customer until the Agency is notified, the account is closed and the water service is either turned off or at which time a new Customer has accepted responsibility by completing the necessary application forms as set forth in Section 4.2. The Agency does not backdate any disconnection of water service.

11.2 Temporary Turn-off of Water Service “Emergency”

A Customer must request that the water service be turned off for any emergency that causes water to flow from the meter or Customer’s property due to a water leak. Water service that is turned off by any person other than Agency personnel or without Agency authorization is prohibited and may be subject to fines or additional charges or fees.

11.3 Turn-off by the Agency

The Agency may disconnect a Customer's service for various reasons that are listed below. Such involuntary disconnections are affected by turning off and locking the meter, thereby stopping the water service; the Agency will make a reasonable attempt to notify the Customer of disconnection in person or will place a disconnection notice on the premises served by the disconnected meter prior to termination. Any disconnection by the Agency shall result in a charge to the Customer, as provided in Section 6.2.3.

Reasons for involuntary disconnection include, but are not limited to, the following:

11.3.1 Non-Payment of Bills

A service may be disconnected for non-payment of periodic bills as specified in the Residential Discontinuation Policy. Before a service is disconnected, the Customer will be notified by an Overdue Notice as set forth in Sections 8.18.2. A service may be disconnected for non-payment of bills of a Customer whether or not the payment delinquency is associated with water service at that service connection or at any other water service connection of that same Customer.

11.3.2 Non-Compliance with Rules



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The Agency may discontinue service to any Customer for violation of the Agency's rules and regulations after it has given the Customer at least five days' written notice of such intention and the violation remains uncured. Where safety of water supply is endangered, service may be discontinued immediately without notice.

11.3.3 Water Waste

In order to protect against serious and or negligent water waste, the Agency may at its discretion, temporarily turn off the water service to the property at which said water waste is taking place as provided in Section 12.1. The Agency may require any leaks or water waste practices to be remedied or the flow of water mitigated prior to the reconnection of water service to the property as to not promote or prolong any water waste event to the detriment of the Agency and its Customers.

Upon reconnection of water service by any non-Agency personnel and the failure of the Customer to correct any water waste event, the Customer's water service shall be terminated. Service will be restored only after the water waste has been remedied, and Customer has paid the reconnection charge as set forth in Appendix A-8. Any damage caused by the temporary or permanent disconnection of water service due to any serious and or negligent water waste shall be the sole responsibility of the Customer.

11.3.4 Unsafe or Hazardous Conditions

The Agency may disconnect a service without notice if unsafe or hazardous conditions are found to exist on the Customer's premises. The Agency will immediately notify the Customer of the reasons and the necessary corrections required before reconnection. Such unsafe or hazardous conditions may exist due to defective appliances or equipment that may be detrimental to the Customer, the Agency or to the Agency's other customers.

11.3.5 Fraudulent Use of Service

When the Agency has discovered that a Customer has obtained service by fraudulent means, or has diverted the water service for unauthorized use, the service to that Customer may be discontinued without notice. The Agency will not restore service to such Customer until that Customer has complied with all applicable rules and reasonable requirements of the Agency and the Agency has been reimbursed for the full amount of the service rendered and the actual cost to the Agency incurred by reason of the fraudulent use.

11.3.6 Emergency



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The Agency has personnel on call twenty-four (24) hours a day, seven (7) days a week to assist Customer's whose water service has previously been turned off for an emergency. The Customer must contact the Agency to request that the water service be turned back on to ensure that no damage occurs when turning the water back on. Water service that is turned on by any person other than Agency personnel or without Agency authorization is in violation of Section 10.2 and may be subject to fines or additional charges or fees.

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PART 12 – WATER EFFICIENCY AND CONSERVATION

12.1 General Provisions

Water efficiency and conservation are critical components in the Agency’s comprehensive strategy for meeting current and future water needs to its Customers. Water use regulations effectively reduce waste and fulfill regulatory requirements of the Agency’s applicable ordinances and the State of California as stated in EO-B-37.16, Making Water Conservation a California Way of Life. As a condition of service, Customers of the Agency must use water delivered through the Agency’s system in a manner that promotes efficiency and avoids waste.

12.2 ~~Prohibited-Wasteful~~ Practices

12.2.1 ~~State-Prohibited-Wasteful~~ Practices

1. Hosing off sidewalks, driveways, and other hardscapes;
2. Washing automobiles with hoses not equipped with a shut-off nozzle;
3. Using non-recirculated water in a fountain or other decorative water feature;
4. Watering lawns in a manner that causes runoff, or within 48 hours after measurable precipitation; and
5. Irrigating ornamental turf on public street medians.

12.2.2 Enforcement Actions and Penalty Fees. If a customer commits any of the ~~State Prohibited-Wasteful~~ Practices, the Agency may take the following enforcement actions:

1. First Violation: A written courtesy notice or Door tag delivered to the Customer along with water conservation material.
2. Second Violation. For a second complaint within six (6) calendar months of the courtesy notice, a written warning in the form of a non-compliance, corrective-action letter sent to the customer.
3. Third and Subsequent Violations. For a third violation, the Agency at its discretion may charge a water waste penalty fee of \$50.00 per day and



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increase of \$50.00 for each subsequent violation up to a maximum of \$500.00 per day.

4. Separate Violations. Each day a violation occurs is a separate violation.

12.2.3 Notices

All notices shall contain, in addition to the facts of the violation, a statement of the possible penalties for the present violation for which the notice was written and each subsequent violation, a statement of the anticipated date of the penalty, if any, will be enacted for the present violation, and a statement informing the customer of the customer's right to a hearing on the violation.

12.2.4 Hearing

Any customer against whom a restriction or limitation is levied has the right to a hearing and a right to appeal to the Board of Directors. Written request from customer to the Agency must be received within fifteen (15) working days of the date of notification of the violation. Enactments of the appropriate penalty shall be deferred until the appeal is resolved.

12.2.5 Reservation of Rights

The rights of the Agency hereunder shall be cumulative to any other right of the Agency to discontinue service. All monies collected by the Agency pursuant to any of the penalty provisions of the chapter shall be deposited in the water revenue fund as reimbursement for the Agency's costs and expenses of administering and enforcing this regulation.

12.3 Use of Water Saving Devices and Practices

Each Customer of the Agency is urged to install devices to reduce the quantity of water to flush toilets and to reduce the flow rate of showers. Each Customer is further urged to adopt such other water usage and re-usage practices and procedures as are feasible and reasonable.

12.4 Use of Recycled Water

Where recycled water is available and, where consistent with applicable law, the Customer shall use such recycled water for landscape irrigation and other non-potable applications. Separate facilities shall be utilized for the transportation and delivery of recycled water.

12.5 Rules and Regulations



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The Agency may adopt such rules and regulations imposing restrictions on the use and consumption of water as it may deem appropriate. Violation of Agency regulations governing water conservation may result in termination of service, as provided in Section 9.1.

12.6 Cross Connections

The Agency has a Cross-Connection Control Program (CCCP). The CCCP incorporates such a plan and can be requested from the Agency.

12.7 Unlawful Acts

In order to protect public water supplies, certain acts are, by state law, misdemeanors and in some instances, penalties are punishable by imprisonment in the county jail for not more than one year or in the state prison. Among the more significant statutes involving criminal acts with respect to water systems are:

12.7.1 CA Penal Code Section 498

It is a misdemeanor to tamper, divert, and make connection or reconnection to any Agency meters, hydrants or facilities with intent to obtain for himself or herself utility services without paying the full lawful charge and without the authorization or consent of the utility.

12.7.2 CA Penal Code Section 624

Every person who willfully breaks, digs up, obstructs, or injures any pipe or main for conducting water, or any works erected for supplying buildings with water, or any appurtenances or appendages connected thereto, is guilty of a misdemeanor.

12.7.3 CA Penal Code Section 625

Every person who, with intent to defraud or injure, opens or causes to be opened, or draws water from any stopcock or faucet by which the flow of water is controlled, after having been notified that the same has been closed or shut for specific cause, by order of competent authority, is guilty of a misdemeanor.

12.7.4 CA Health and Safety Code Sections 4450 to 4457

Any act that leads to the pollution of any conduit or reservoir.

12.8 Fire Hydrant Damage



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When any person, company, or agency is determined to be the responsible party that has caused damage of a fire hydrant or blow off valve, the Agency may charge that party with all costs necessary to repair the damages and the cost of water loss computed on basis of duration of flow and flow rate.

12.9 Private Fire Protection Service

All facilities utilized by the Customer in providing private fire protection to the premises are the property of the Customer, who shall be responsible for the costs of installation, repair and maintenance of the private fire protection system.

12.10 Use and Testing

Upon prior written request and approval of the Agency, the Customer may test the system at no cost. Testing a private fire protection system without prior Agency approval constitutes Unauthorized Water Use and shall result in a fine as provided in Section 6.2.10.

There shall be no water used through the private fire protection system, except to extinguish fires and for testing.

12.10.1 No Connection to Other System

There shall be no connection between the private fire protection system and any other water distribution system on the premises.

12.10.2 Rates

The monthly charge depends on the size of the detector check, as set forth in Appendix A-2. Allowable uses are for testing with prior Agency approval, or to fight a fire, which has been reported to the fire department.

For testing, consumption charges are waived. No charge will be made for water used to fight a fire.

12.10.3 Water for Fire Storage Tanks

Occasionally, water may be obtained from a private fire protection system to fill a storage tank that is part of the fire protection system, but only with prior written authorization from the Agency and only where an approved means of measuring the flow quantities is available. Water so used will be billed at regular service rates.



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12.11 Water Leak Adjustment Policy

Occasionally, the Agency is asked to adjust a customer’s bill because of high water consumption on the customer’s side of the meter due to unanticipated water leakage. The primary responsibility to maintain and monitor water use, plumbing, and security from vandalism belongs to the customer or property owner with respect to water on the customer’s side of the meter.

As set forth in Section 8.15, excessive water use due to leaks may qualify for a leak adjustment. This is an effort to relieve the customer from the rare occurrence of those leaks uncommon or catastrophic in nature and beyond the control of the customer. Definitions of a verified adjustment and reporting process are presented in Section 8.15.1.

This policy may be amended from time to time by action of the Board of Directors.

12.12 Identity Theft Prevention Policy

The Federal Trade Commission (“FTC”), as part of the implementation of the Fair and Accurate Credit Transaction (FACT) Act of 2003, requires financial institutions and creditors holding consumer or other covered accounts to develop and implement a written Identity Theft Prevention Program which provide for detection of and response to specific activities (“Red Flags”) which could be related to identity theft.

The Agency staff will review the effectiveness of this policy annually, document any significant incidents involving identity theft and actions taken and include recommendations for material changes to the program.



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PART 13 – CONDITIONS OF DOMESTIC WATER SERVICE

13.1 General Provisions

13.1.1 Maintenance of Domestic Water Service

The Agency will exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of water to the Customer and to avoid any shortage or interruption of delivery of same. The Agency is not liable for interruption, shortage, insufficiency of supply or any loss or damage occasioned thereby, if same is caused by accident, act of God, fire, strike, riot, war or any other cause not within its control.

13.1.2 Suspension of Domestic Water Service

The Agency, whenever it finds it necessary for the purpose of making repairs or improvements to the Water System, may suspend Domestic Water Service temporarily. This temporary suspension of service will inactivate a fire suppression system that is provided water through the Customer’s service connection. In all such cases, a reasonable notice thereof, as circumstances will permit, will be given to the Customer. The making of such repairs or improvements will be done as rapidly as practicable and, if practicable, at such times as will cause the least inconvenience to the Customers.

13.1.3 Pressure

The Agency attempts to operate the Domestic Water System within a static pressure range between forty (40) to one hundred fifty (150) pounds per square inch (psi). However, there are times and areas where static water pressure is outside this range. Applicants connecting to the Domestic Water System in an area with a static water pressure below sixty (60) psi will be required to execute a Low-Pressure Agreement. If the static water pressure exceeds eighty (80) psi, an individual pressure regulating valve is required on the Customer Service Line as required by the Uniform Plumbing Code.

The Agency assumes no obligation to deliver water to elevations higher than its existing facilities serve. Where Properties are situated at such an elevation that the Applicant cannot be assured of a dependable supply from the Domestic



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Water System and/or the desired rates of flow and/or pressure required by the particular operation to be conducted on the Property cannot be assured by the Agency, the Applicant, in consideration of Agency approval of a Service Connection, accepts such Domestic Water Service as the Agency is able to render from its Water System. The Applicant agrees to construct, if necessary, and maintain at its sole expense on its Property a tank and/or a booster pump of sufficient capacity to furnish an auxiliary supply of water at such times as pressure in the Domestic Water System may be insufficient to supply the Property with water. In addition, a backflow prevention device may be required in accordance with the Agency’s Cross Connection Control Plan. The Applicant will be required to execute a written release to the Agency for all claims for failure to furnish an adequate water supply.

Due to topography, and other causes, the water pressure is not uniform over the Agency’s Service Area. The installation of new Domestic Water Infrastructure and/or modifications to the Water System operation, may result in water pressure changes to various areas within the Service Area. The Agency will attempt to maintain adequate pressure and/or flow at all existing Service Connections; however, Customers dependent upon a continuous water supply shall provide adequate storage for emergencies and to prevent damage, at their sole expense, if required by the Agency.

13.1.4 Responsibility

The Agency owns, operates and maintains the Service Connection, up to and including the meter. The Property Owner is responsible for the Customer Service Line after the meter.

The Agency is not responsible for the delivery of water through private pipelines or any damage resulting from the operation of same.

13.1.5 Liability

The Customer waives any and all claims of any nature against the Agency, except those related to gross negligence on the part of the Agency and releases the Agency from any liability for damage to the Customer’s system, Property and appliances from any cause whatsoever not resulting from gross negligence on the part of the Agency. The Customer further waives any and all claims of any nature against the Agency and releases the Agency from any liability for losses or damage to the Property receiving Domestic Water Service, which may involve quantity, quality, foreign material, time or occasion of the delivery of domestic water by the Agency.

13.1.6 Damage to Meter by Hot Water



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The Customer shall be liable for damage to the meter caused by hot water from the Property. The deformation or warp of a disc or a registered figured disc of any meter shall be held to be prima facie evidence of such damage having been caused by the action of heat. Should such damage occur, the Customer will be notified to correct the plumbing conditions causing such damage and will be charged for the cost of repairs to the meter. Should the condition not be corrected, and the meter repair bill not paid within ten (10) days after notice, Domestic Water Service to the Property may be terminated and Domestic Water Service will not be Restored until the bill is paid, together with a charge for restoration of service, as provided for in Section 10.1.

13.1.7 Transfer of Meters

No Person shall transfer or move a meter to a new location without Agency authorization once it has been installed by the Agency at any Service Connection. Such transfer or removal will constitute an unauthorized connection or installation. The Customer is responsible for loss or damage to a meter from the time it is installed until it is removed by the Agency. Any Person who is determined by Agency staff to have violated the provisions of this section shall be subject to a penalty as provided in Appendix A-10; Domestic Water Service may be terminated, Agency facilities removed or locked off and the Agency may also file a civil action to recover damages as authorized by Water Code Sections 31080 and 31102.

13.2 Change in Water Usage

A Customer making any change to a Property that may result in a material increase of water demand originally described on the Domestic Water Service application shall immediately give the Agency a written notice of the nature of the change. Any such changes must then be approved by the Agency and/or modifications must be made at the Owner's expense and in conformance with Agency requirements. Failure to notify the Agency of such change or failure to comply with these regulations is considered an unauthorized use of domestic water and shall result in costs and penalties as provided for in Appendix A-10.

13.3 Communication

13.3.1 To Customer

Nonemergency notifications from the Agency to a Customer will normally be given by telephone or in writing and either mailed or delivered to the street address described in the application for service. In cases where the Property Owner has authorized another party, such as a Tenant, to be billed, the Agency



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will also provide a copy of the notice to the Property Owner, at its request, as provided in Section 8.4.

Emergency notifications for small service areas including schools, hospitals, health care centers, day care centers, convalescent homes and other critical facilities will be accomplished by door-to-door contact, email, phone calls and door hangers using available domestic water, water service and water quality personnel and the billing information available to the Agency from the Customer's application form. Notification in the affected service area(s) will be completed within twenty-four (24) hours of being directed by the County Department of Public Health (CDPH).

Emergency notifications for large service areas including schools, hospitals, health care centers, day care centers, convalescent homes and other critical facilities will be performed through electronic communication. Agency Resources personnel will conduct a press conference where a notice by CDPH will be furnished to the news media. This includes all radio and television stations broadcasting in the area and all local and general area newspapers. Notification in the affected service area(s) will be completed within twenty-four (24) hours of being directed by the CDPH.

A map of the affected service area will be on display at the press conference and distributed to the media and to special telephone answering personnel who accept calls and answer questions from consumers twenty-four (24) hours a day. In addition, the map of the affected service area will be posted on the Agency's website.

13.3.2 To Agency

Nonemergency notifications from the Customer to the Agency may be given and accepted by any appropriate means of delivery, including but not limited to, electronically, by phone call, by mail or in person.

Customers shall contact the Agency's twenty-four-hour (24-hour) emergency operators at (661) 294-0828 to request immediate assistance.

13.4 Conflict with Agency Domestic Water Infrastructure

Any Person making improvements or changes to its Property which may interfere with Agency easement rights, endanger Domestic Water Infrastructure or cause additional funds to be expended on operation and maintenance, shall be approved by the Agency.

13.5 Resale of Water



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No Person shall enter into any contract or agreement to resell domestic water it receives from the Agency. No Person shall deliver or cause to be delivered domestic water acquired from the Agency, to any Property other than that described in the application for Domestic Water Service. Discovery of such action by the Agency may be cause for immediate termination of service without additional notification.

13.6 Unauthorized Use of Domestic Water or the Water System

The actions listed below are prohibited by these Regulations; penalties are provided for in Appendix A-10. Unpaid penalties shall be included on the Customer’s bill and will be due and payable before Domestic Water Service will be restored. The Property Owner is liable for payment of all unpaid bills, costs, loss, damage, penalties, charges, or fees regardless of user or use associated with the Unauthorized Use of Domestic Water or the Water System.

- 13.6.1 To operate or attempt to operate a public or private fire hydrant or detector check, except for the suppression of fire or except when a permit for a Temporary Service Connection is issued, as provided for in Section 14.3.
- 13.6.2 To cause or permit the waste of water from the Water System or to maintain or cause or permit to be maintained any leaky outlets, apparatus or plumbing fixtures through which water is permitted to waste including, but not limited to, detector checks.
- 13.6.3 To use water for washing sidewalks and driveways in a manner that prevents the usual and customary use of public streets and sidewalks by others.
- 13.6.4 To permit water sprinklers to spray onto sidewalks and streets or to permit water to run from the Customer’s Property onto public sidewalks and streets in such a manner as to cause risk and/or damage to the public or to public and private Property.
- 13.6.5 To cause or permit the waste of water by operating any equipment that uses water in a “single pass” operation. Examples of this use include, but are not limited to, water cooled equipment (i.e. refrigerators, freezers, ice machines, chillers, cooling towers, air conditioners, heat exchangers, ice cream dispensers, yogurt dispensers and precoolers) and commercial vehicle washes (i.e. car and/or truck washes).
- 13.6.6 To change or alter the original intended use of the meter and what it serves.

In addition to assessing penalties provided for in Appendix A-10, the Agency may seek criminal prosecution, as authorized by Section 498 of the California Penal Code for which any Person who, with intent to obtain for himself or herself



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Domestic Water Service without paying the full lawful charge therefor, or with intent to enable another Person to do so, or with intent to deprive the Agency of any part of the full lawful charge for Domestic Water Service it provides, commits, authorizes, solicits, aids or abets any of the following:

1. Divert or causes to be diverted Domestic Water Service, by any means.
2. Prevents any Domestic Water Service meter, or other device used in determining the charge for Domestic Water Services, from accurately performing its measuring function by tampering or by any other means.
3. Tampers with any Property owned by or used by the Agency to provide Domestic Water Service.
4. Makes or causes to be made any connection with or reconnection with Property owned or used by the Agency to provide Domestic Water Service without the authorization or consent of the Agency.
5. Uses or owns the property that receives the direct benefit of all or a portion of Domestic Water Service and/or has knowledge or reason to believe that the diversion, tampering, or unauthorized connection existed at the time of that use, or that the use or receipt was otherwise without the authorization or consent of the Agency.

Furthermore, the Agency may seek criminal prosecution for the presence of any of the following objects, circumstances or conditions on Property controlled by the Customer or by the Person using or receiving the direct benefit of all or a portion of Domestic Water Service obtained in violation of Section 498 of the California Penal Code shall permit an inference that the Customer or Person intended to and did violate Section 498 of the California Penal Code:

- a. Any instrument, apparatus or device primarily designed to be used to obtain Domestic Water Service without paying the full lawful charge therefor.
- b. Any meter that has been altered, tampered with or bypassed so as to cause no measurement or inaccurate measurement of Domestic Water Service.

13.7 Ground Wire Attachment

Any Person is liable for any damage to the Water System or Agency personnel which may be occasioned by the attachment of any ground wire or wires to any plumbing



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which is or may be connected to the Water System.

13.8 Unused Service Connection

A Permanent Service Connection which has been inactive for a period of one hundred eighty (180) consecutive days may be considered unused and the meter may be removed by the Agency. Thereafter, any Person desiring service for the Property, or any portion thereof, formerly supplied by such inactive Service Connection shall make application for Domestic Water Service. In cases where the Agency has removed the meter from the Property, the Applicant will be required to pay the applicable charge for a permanent Service Connection installation. In cases where the meter has not been removed from the Property, the Applicant will be required to pay the current charge for Restoration of service as provided for in Section 10.1.

13.9 Quick Closing Valve

13.9.1 Operating Conditions

No Person shall install or use a quick closing valve or other device when such valve or device during its operation causes a water hammer or an abrupt change of pressure in the Water System. When such a condition exists, the Customer will be required to discontinue use of such valve or device immediately upon notification by the Agency and may be liable for costs to repair any damage caused to the Agency’s Domestic Water Service Infrastructure.

13.9.2 Notice of Correction

If the notice of correction of such condition is not complied with, service will be discontinued until the correction is made by a proper installation to eliminate all such water hammer or abrupt change of pressure.

13.10 Responsibility for Equipment

The Customer shall, at its own risk and expense, furnish, install and keep in good and safe condition all of the equipment on the Customer’s side of the meter that may be required for receiving, controlling, applying and utilizing water. The Agency is not responsible for any loss or damage caused by improper installation of such equipment, negligence, want of proper care or wrongful act of the Customer or of any of its Tenants, agents, employees, contractors, licensees or permittee in installing or maintaining, using, operating or interfering with such equipment. The Agency is not responsible for damage to Property caused by spigots, faucets, valves and other equipment that are open when water is turned on at the meter.

13.11 Damage



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Any Person who is determined by Agency staff to have violated the provisions of this section shall be subject to a penalty as provided in Appendix A-12, Domestic Water Service may be terminated, Agency facilities removed or locked off and the Agency may also file a civil action to recover damages as authorized by Water Code Sections 31080 and 31102.

Part 14 - Private Fire Protection Service Connection and Residential Fire Sprinkler System

14.1 General Provisions

When a Private Fire Protection Service Connection (PFPSC) is installed, the control valve will be left closed and sealed until a written order to turn on the water is received from the Property Owner. The Agency is not liable for damage of any kind or for any reason that may occur on or to the Property served.

14.2 Special Provisions

14.2.1 PFPSC ~~Larger than Two-inch (2-inch)~~

For all PFPSC ~~sizes larger than two-inch (2-inch) in diameter, a single detector check, a~~ double check detector assembly, or required pressure detector assembly must be installed in accordance with the Agency's Cross Connection Control Plan.

14.2.2 PFPSC Charges

The Agency's charges for a PFPSC, as noted in this Section, are set out in Appendix A-2.

14.3 Authorized Purpose

A PFPSC shall be used for no other purpose than for the discharge of water in case of fire. Except for PFPSC installed in accordance with Section 14.2, water for firefighting purposes will be provided without charge in amounts as required.

14.4 Inspection and Tests

Agency employees have the right to enter the Property to make investigations and tests of the PFPSC. The Customer, or its designated representative, shall accompany the Agency employee(s) during such inspections and tests.

The Customer shall be responsible to conduct inspections and tests of its private fire protection system.



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14.5 Option to Bill

If the Agency determines that a PFPSC is being used for purposes other than fire extinguishing or the testing of the fire line, the Agency will send a warning letter to the Owner of the PFPSC. If, after thirty (30) days from the date the notice is sent, the unauthorized use continues, the Owner of the PFPSC shall be subject to a penalty as provided in Appendix A-10 and service may be terminated, and Agency facilities removed or locked off. The Agency may also file a civil action to recover damages as authorized by Water Code Sections 31080 and 31102. The General Manager may waive this penalty based upon good cause arising from the circumstances involved.

14.6 Termination of Service

14.6.1 PFPSC -Larger Than Two-inch (2-inch)

If water is used for purposes other than permitted herein, the Agency may terminate the PFPSC or may install a domestic or fire flow meter at the Customer's expense, and thereafter, the service shall be classified as a Permanent Service Connection and will be billed at the prevailing charge as provided in Section 6.2. The Agency is not liable for damage which may result from said termination of service.

14.6.2 PFPSC -Two-inch (2-inch) or Less

1. Installed in Accordance with Section 14.2.1

The Agency may terminate service in accordance with Section 11.3, Termination of Service. The Agency is not liable for damage which may result from said termination of service.

If water is used for purposes other than permitted herein, the Agency may terminate the PFPSC, or the service shall be classified as a Permanent Service Connection and will be billed at the prevailing charge as provided in Section 6.2.

The Agency is not liable for damage which may result from said termination of service.

14.7 Residential Fire Sprinkler System

Effective January 1, 2011, Residential Fire Sprinklers are required by California Residential Code, Title 24, Part 2.5 for new construction.



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14.7.1 General Provisions

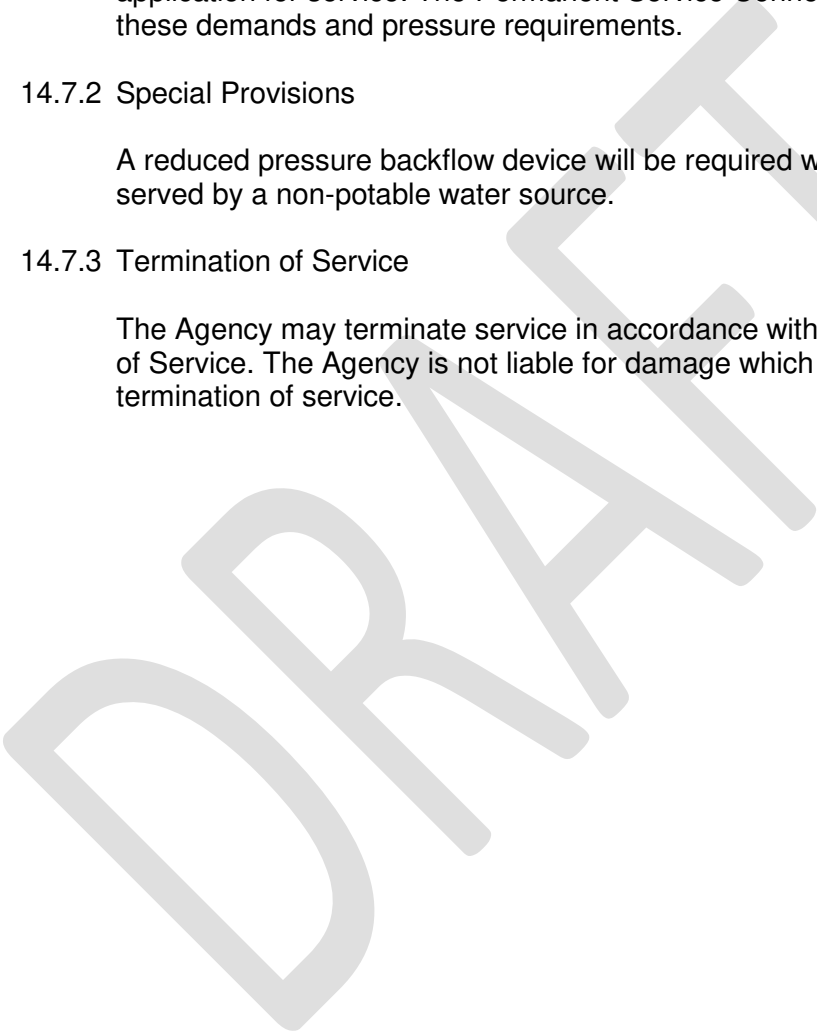
A single Permanent Service Connection shall provide water service for both the domestic water and residential fire sprinkler portions of the Customer Service Line. The customer will provide the Agency with the required domestic water and residential fire sprinkler water demands and minimum pressures at the time of application for service. The Permanent Service Connection will be sized to meet these demands and pressure requirements.

14.7.2 Special Provisions

A reduced pressure backflow device will be required when the premise is also served by a non-potable water source.

14.7.3 Termination of Service

The Agency may terminate service in accordance with Section 11.3, Termination of Service. The Agency is not liable for damage which may result from said termination of service.





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Part 15 – Cross-Connection Control Plan

15.1 General Provisions

The Agency has developed a Cross-Connection Control Plan (CCCP) to protect the potable water supply against actual or potential Cross Connections by isolating, within the Property, contamination or pollution that may occur because of undiscovered or unauthorized Cross Connection on the Property. The provisions set forth in the CCCP are in accordance with Titles 17 and 22 of the California Code of Regulations.

The provisions set forth the CCCP shall be in addition to and not in lieu of the controls and requirements of other provisions of these Regulations or of other regulatory agencies, such as local governmental agencies and local and State Health Departments but may report same to other appropriated agencies if discovered: The Agency is not responsible for abatement of Cross Connections which may exist within the Customer's Property.

The Agency has developed an active Cross-Connection Control Plan with a certified Cross Connection Control program coordinator to administer the program. Any questions or notifications regarding Cross Connections shall be directed to the Agency's CCCP and its Cross-Connection Control coordinator.



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Part 16 - Enforcement and Appeals

16.1 General Provisions

Any Person found to be violating any provision of these Rules and Regulations or the terms and conditions of the Applicant's service agreement, permit or any and all applicable federal, state, or local statutes, regulations, ordinances or other requirement shall be served by the Agency with written notice that 1) states the nature of the violation, 2) provides a time limit to correct and 3) refers to Sections 8.14 and 9.2 of these Regulations, and to the Residential Discontinuation Policy, where applicable, as describing the hearing and appeals procedures for customers wishing to contest a notice of violation.

16.2 Corrective Action

The Customer shall, within the time limit stated in such notice, permanently correct the violation. Failure to do so within the time stated may result in termination of Domestic Water Service by the Agency as provided for in Section 11.3.

The Agency has the right to terminate Domestic Water Service immediately if the violation impacts the Agency's obligation to protect public health.

Domestic Water Service will not be Restored until such conditions or defects are corrected. A charge will be made for the restoration of service as provided for in Section 10.1.

16.3 Appeals (other than appeals relating to the discontinuation of Domestic Water Service for non-payment, which shall be governed by the provisions of Section IV of the Residential Discontinuation Policy)

16.3.1 Hearing and Administrative Procedures

A customer may appeal a decision, enforcement of a policy or procedure, rate, fee, charge, or penalty by submitting a written appeal to the General Manager of the Agency. However, the appeal rights set forth in this Section shall not apply to termination of service for non-payment of a domestic water bill. An appeal must be made in writing and submitted to the General Manager within five (5) business days of the effective date of service termination, or within thirty (30) days of the



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effective date of any other enforcement action or decision. Any such appeal shall include the specific decision, policy, procedure, rate, charge, or penalty being challenged, a detailed description regarding the nature of the challenge, evidence supporting the challenge, and the remedy requested.

The hearing on the Customer’s appeal will be conducted by the Agency’s General Manager, or his or her designated representative. The hearing shall be held as soon as reasonably possible. If service has been terminated, reasonable efforts should be made to hold the hearing within five (5) business days of receipt of the written appeal and the Customer shall be promptly notified of the date, time and place of the hearing. At the hearing, the Customer shall be given a reasonable opportunity to present information in support of the Customer’s appeal. Agency staff will be given the opportunity to reply.

Absent extenuating circumstances, written notice of the decision by the General Manager, or his or her designated representative, should be given to the Customer within five (5) business days of the close of the hearing. The decision by the General Manager, or his or her designated representative, will be final.

A failure to file a timely appeal in accordance with this Section shall be deemed a waiver of the right to appeal and will be considered a failure to exhaust administrative remedies which may impact any attempt by the Customer for any judicial review.

16.4 Enforcement

In the event a Customer submits an appeal under the procedures set forth in Section 16.3 above, enforcement of the violation shall be suspended until written notice of the decision by the General Manager or his or her designated representative has been submitted to the Customer. The notice of the decision shall be deemed to be submitted to the Customer upon the Agency depositing it in the U.S. mail. Termination for nonpayment of a water bill is not subject to appeal under these provisions and as a result, such enforcement will not be suspended.



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Part 17 - Validity

17.1 Validity

If any portion of these Regulations or the application thereof to any Person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of these Regulations or the application of such provision to other Persons or circumstances.

The Board hereby declares that in the event that a court of competent jurisdiction determines that any provision of these Regulations to be unconstitutional or otherwise invalid, it would nevertheless have adopted the remaining provisions.



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Appendix A-1 - Charges

A-1 General Provisions

The charges applicable to Domestic Water Service are listed in the following appendices. Reference to the applicable part, section, or subsection of these Regulations is included.

The charges set forth in this part are hereby established and fixed. In accordance with Section 53750(h)(2)(b) of the California Government Code and subject to approval of the Board of Directors, the Agency may institute an increase or decrease of any charges listed in the following appendices.

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Appendix A-2 - Permanent Service Connection Monthly Service Charge

The Monthly Service Charge for a Permanent Service Connection is assessed on a monthly basis. See adopted rate reports by Division for additional information.

Table A-2 Effective January 1, 2020

Meter Size (inches)	Newhall Water Division	Santa Clarita Water Division	Valencia Water Division
5/8 x 3/4	N/A	\$ 22.32	\$ 16.81
3/4	\$ 16.14	\$ 30.28	\$ 25.22
1	\$ 26.96	\$ 46.16	\$ 42.03
1 1/2	\$ 53.75	\$ 85.90	\$ 84.06
2	\$ 86.04	\$ 133.56	\$ 134.50
2 1/2	\$ 129.13	N/A	N/A
3	\$ 161.42	\$ 260.72	\$ 252.19
4	\$ 269.08	\$ 403.74	\$ 420.31
6	\$ 538.00	\$ 801.04	\$ 840.63
8	\$ 860.84	\$1,277.81	\$1,345.00
10	\$1,237.58	N/A	\$1,933.44
12	N/A	N/A	\$2,774.07
14	N/A	N/A	\$3,782.82



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Appendix A-3 – Special Fire Monthly Service Charge

The Monthly Service Charge for a Special Fire Service is assessed on a monthly basis. See adopted rate reports by Division for additional information.

Table A-3 Effective January 1, 2020

Meter Size (inches)	Newhall Water Division	Santa Clarita Water Division	Valencia Water Division
1	N/A	\$ 3.08	N/A
2	\$ 22.97	\$ 6.15	\$ 8.36
4	\$ 73.78	\$ 12.28	\$ 16.72
6	\$ 139.55	\$ 18.41	\$ 25.08
8	\$ 218.31	\$ 24.54	\$ 33.44
10	N/A	\$ 30.66	\$ 41.80
12	N/A	\$ 36.79	\$ 50.16
14	N/A	\$ 42.92	\$ 58.52
16	N/A	\$ 49.05	N/A
18	N/A	\$ 55.18	N/A
20	N/A	\$ 61.30	N/A



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Appendix A-4 - Temporary Service Connection Monthly Service Charge

The Monthly Service Charge for a Temporary Service Connection is assessed on a monthly basis. See adopted rate reports by Division for additional information.

Table A-4

Temporary Connection			
From a Fire Hydrant	Newhall Water Division	Santa Clarita Water Division	Valencia Water Division
2 ½ - 3 inch	\$ 129.13	\$ 260.72	\$ 252.19
6 inch	\$ 538.00	\$ 801.04	N/A
Jumper			
3/4 inch	\$ 24.00	N/A	\$ 34.42*
1 inch	N/A	\$ 56.11*	\$ 51.23*
*includes 5 billing units			



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Appendix A-5 - Permanent Service Connection Consumption Charge

The Consumption Charge is quantitative and assessed on a monthly basis per unit of water (748 gallons). See adopted rate reports by Division for additional information.

Table A-5 Effective January 1, 2020

	Newhall Water Division	Santa Clarita Water Division	Valencia Water Division
Domestic Water Supply per Billing Unit	\$ 2.8542	\$ 1.99	\$ 1.839
Recycled Water per Billing Unit	N/A	N/A	\$ 1.577

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Appendix A-6 - Temporary Service Connection Consumption Charge

The Consumption Charge is quantitative and assessed on a monthly basis. See adopted rate reports by Division for additional information.

Table A-6 Effective January 1, 2020

	Newhall Water Division	Santa Clarita Water Division	Valencia Water Division
Domestic Water Supply per Billing Unit	\$ 2.8542	\$ 1.99	\$ 1.839

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Appendix A-7 - Temporary Service Connection Installation Charge

The Temporary Service Connection charge is assessed on a one-time basis and payment is required prior to the Agency providing Domestic Water Service.

The cost to relocate an existing Temporary Service Connection is listed below.

Table A-7

Installation Type	Deposit by Meter Size	
	2 ½-3 inch	6 inch
From a Fire Hydrant (Meter Only)	\$ 1,200.00	\$ 1,500.00
Fire Hydrant (Billing Deposit)	\$ 500.00	\$ 500.00



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Appendix A-8 Restoration or Reconnection of Service Fee

The Restoration or Reconnection of Service fee is assessed on a one-time basis and payment is required prior to the Agency reactivating Domestic Water Service. In addition, all other outstanding charges must be paid in full prior to reactivation. Charges described below are only applicable to existing Customers.

Table A-8

Restoration Time Description	Amount
Standard Next Day Restoration (during normal Agency business hours)	\$ 30.00
Express Restoration (after normal Agency business hours)	\$ 70.00
Agency observed holidays	\$ 90.00

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Appendix A-9 Fire Flow Test Charge

The Fire Flow Test charge is assessed at the time of request by any person and payment is required prior to the Agency performing the test.

Table A-9

Fire Flow Test	Amount
All locations	\$ 175.00

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Appendix A-10 - Penalties for Unauthorized Use of the Agency's Domestic Water System

Table A-10

Description of Unauthorized Use	Penalty Charge
Unauthorized Installation/Connection/Use Penalty	\$ 1,000 each offense
Unauthorized use of a Private Fire Protection Service Connection	\$ 1,000 each offense
Cutting Agency lock or bypassing meter	\$ 50.00
Damage to meter, pipeline, tank, well site or other component of the Domestic Water Service Infrastructure	\$525.00 or actual cost of repair, whichever is greater
Broken meter stop/shut off valve	\$ 300.00

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Appendix A-11 - Domestic Water Service Application Fee and Deposit

Domestic Water Service Application Fee and Deposit (when required).

Table A-11

Account Description	Deposit Amount
Fee	\$ 20.00
Deposit*	3-months average usage

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Appendix A-12 - Domestic Water Service Miscellaneous Fees

Table A-12

Fee Description	Amount
Returned Payment Fee	\$ <u> </u> 35.00
Late Fee – Overdue Notice generated	\$ <u> </u> 25.00
Disconnection/Restoration Fee	\$ 30.00
Out of Agency Fee	To Be Determined
Meter Test Fee*	\$ 112.00
Pulled Meter Fee	Actual cost to Agency
Turn off at Main	Actual cost to Agency
Property Damage	Actual cost to Agency plus 10% overhead
Unread Meter Fee	\$ 200.00
Water Waste Penalty Fee	\$50.00/day – Additional \$50.00/day for each subsequent violation up to a max of \$500.00

*No charge if meter is inaccurate



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Appendix A-13 – Policy on Discontinuation of Residential Water Service for Non-Payment

Notwithstanding any other policy or rule, this Policy on Discontinuation of Residential Water Service for Non-Payment shall apply to the discontinuation of residential water service for non-payment under the provisions set forth herein. In the event of any conflict between this Policy and any other policy or rule, this Policy shall prevail.

- I. **Application of Policy; Contact Telephone Number:** This policy shall apply only to residential water service for non-payment and all existing policies and procedures shall continue to apply to commercial and industrial water service accounts. Further assistance concerning the payment of water bills and the potential establishment of the alternatives set forth in this policy to avoid discontinuation of service can be obtained by calling (661) 294-0828.

- II. **Discontinuation of Residential Water Service for Non-Payment:**
 - A. **Rendering and Payment of Bills:** Bills for water service will be rendered to each consumer on a monthly basis unless otherwise provided for in the rate schedules. Bills for service are due and payable on the fourteenth (14) day after generation, as signified by the date on the bill (the “Due Date”) upon presentation and become overdue and subject to discontinuation of service if not paid within sixty-sixty (60) seventy-five (6075) days after from the Due Date date of the bill the bill is generated. Payment may be made at the office or to any representative authorized to make collections. However, it is the consumer’s responsibility to assure that payments are received at the specified location in a timely manner. Partial payments are not authorized unless prior approval has been received. Bills will be computed as follows:
 1. Meters will be read at regular intervals for the preparation of periodic bills and as required for the preparation of opening bills, closing bills, and special bills.
 2. Bills for metered service will show the meter reading for the current and previous meter reading period for which the bill is rendered, the number of units, date, and days of service for the current meter reading.
 3. Billings shall be paid in legal tender of the United States of America. Notwithstanding the foregoing, the Supplier shall have the right to refuse any payment of such billings in coin.



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B. Overdue Bills: The following rules apply to consumers whose bills remain unpaid for more than sixty (60) days after the Due Date~~sixty seventy-five (6075) days following the invoice bill generation date~~:

1. Overdue Notice: If payment for a bill rendered is not made on or before the forty-fifth (45th) day following the ~~invoice~~bill generation date, a notice of overdue payment (the "Overdue Notice") will be mailed to the water service consumer ~~approximately~~ at least seven (7) business days prior to the possible discontinuation of service date identified in the Overdue Notice. For purposes of this policy, the term "business days" shall refer to any days on which the Supplier's office is open for business. If the consumer's address is not the address of the property to which the service is provided, the Overdue Notice must also be sent to the address of the property served, addressed to "Occupant." The Overdue Notice must contain the following:
 - a. Consumer's name and address;
 - b. Amount of delinquency;
 - c. Date by which payment or arrangement for payment must be made in order to avoid discontinuation of service;
 - d. Description of the process to apply for an extension of time to pay the amount owing (see Section III(D), below);
 - e. Description of the procedure to petition for review and appeal of the bill giving rise to the delinquency (see Section IV, below); and
 - f. Description of the procedure by which the consumer can request a deferred, amortized, reduced or alternative payment schedule (see Section III, below).

The Supplier may alternatively provide notice to the consumer of the impending discontinuation of service by telephone. If that notice is provided by telephone, the Supplier shall offer to provide the consumer with a copy of this policy and also offer to discuss with the consumer the options for alternative payments, as described in Section III, below, and the procedures for review and appeal of the consumer's bill, as described in Section IV, below.

2. Unable to Contact Consumer: If the Supplier is not able to contact the consumer by written notice (e.g., a mailed notice is returned as undeliverable) or by telephone, the Supplier will make a good faith effort to visit the residence and leave, or make other arrangements to place in a conspicuous location, a notice of imminent discontinuation of service for non-payment, and a copy of this Policy.



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3. Late Charge: A Late Charge, as specified in the Supplier’s schedule of fees and charges, shall be assessed and added to the outstanding balance on the consumer’s account if the amount owing on that account is not paid before the Overdue Notice is generated.

4. Turn-Off Deadline: Payment for water service charges must be received in the Supplier’s offices no later than 4:30 p.m. on the date specified in the Overdue Notice. Postmarks are not acceptable.

5. Notification of Returned Check: Upon receipt of a returned check rendered as remittance for water service or other charges, the Supplier will consider the account not paid. The Supplier will attempt to notify the consumer in person or by mail and ~~leave provide~~ a notice of termination of water service at the premises. Water service will be disconnected if the amount of the returned check and returned check charge are not paid by the due date specified on the notice, which due date shall not be sooner than the date specified in the Overdue Notice; or if an Overdue Notice had not been previously provided, no sooner than the ~~sixtieth (60th)~~ ~~sixtieth-seventy-fifth (6075th)~~ day after the ~~invoice~~ Due Date bill generation date for which payment by the returned check had been made. To redeem a returned check and to pay a returned check charge, all amounts owing must be paid by cash or certified funds.

6. Returned Check Tendered as Payment for Water Service Disconnected for Nonpayment:
 - a. If the check tendered and accepted as payment which resulted in restoring service to an account that had been disconnected for nonpayment is returned as non-negotiable, the Supplier may disconnect said water service upon at least three (3) calendar days’ written notice. The consumer’s account may only be reinstated by receipt of outstanding charges in the form of cash or certified funds. Once the consumer’s account has been reinstated, the account will be flagged for a one-year period indicating the fact that a non-negotiable check was issued by the consumer.

 - b. If at any time during the one-year period described above, the consumer’s account is again disconnected for nonpayment, the Supplier may require the consumer to pay cash or certified funds to have that water service restored.

C. Conditions Prohibiting Discontinuation: The Supplier shall not discontinue



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residential water service if all of the following conditions are met:

1. Health Conditions – The consumer or tenant of the consumer submits certification of a primary care provider that discontinuation of water service would (i) be life threatening, or (ii) pose a serious threat to the health and safety of a person residing at the property;
2. Financial Inability – The consumer demonstrates he or she is financially unable to pay for water service within the water system’s normal billing cycle. The consumer is deemed “financially unable to pay” if any member of the consumer’s household is: (i) a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the consumer declares the household’s annual income is less than 200% of the federal poverty level (see this link for the federal poverty levels applicable in California: <https://www.healthforcalifornia.com/covered-california/income-limits/>); and
3. Alternative Payment Arrangements – The consumer is willing to enter into an amortization agreement, alternative payment schedule or a plan for deferred or reduced payment, consistent with the provisions of Section III, below.

D. Process for Determination of Conditions Prohibiting Discontinuation of Service: The burden of proving compliance with the conditions described in Subdivision (C), above, is on the consumer. In order to allow the Supplier sufficient time to process any request for assistance by a consumer, the consumer is encouraged to provide the Supplier with the necessary documentation demonstrating the medical issues under Subdivision (C)(1), financial inability under Subdivision (C)(2) and willingness to enter into any alternative payment arrangement under Subdivision (C)(3) as far in advance of any proposed date for discontinuation of service as possible. Upon receipt of such documentation, the Supplier’s General Manager, or his or her designee, shall review that documentation and respond to the consumer within seven (7) calendar days to either request additional information, including information relating to the feasibility of the available alternative arrangements, or to notify the consumer of the alternative payment arrangement, and terms thereof, under Section III, below, in which the Supplier will allow the consumer to participate. If the Supplier has requested additional information, the consumer shall provide that requested information within five (5) calendar days of receipt of the



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Supplier's request. Within five (5) calendar days of its receipt of that additional information, the Supplier shall either notify the consumer in writing that the consumer does not meet the conditions under Subdivision (C), above, or notify the consumer in writing of the alternative payment arrangement, and terms thereof, under Section III, below, in which the Supplier will allow the consumer to participate. Consumers who fail to meet the conditions described in Subdivision (C), above, must pay the delinquent amount, including any penalties and other charges, owing to the Supplier within the latter to occur of: (i) two (2) business days after the date of notification from the Supplier of the Supplier's determination the consumer failed to meet those conditions; or (ii) the date of the impending service discontinuation, as specified in the Overdue Notice.

- E. Special Rules for Low Income Consumers: Consumers are deemed to have a household income below 200% of the federal poverty line if: (i) any member of the customer's household is a current recipient of the following benefits: CalWORKS, CalFresh, general assistance, Medi-Cal, SSI/State Supplementary Payment Program or California Special Supplemental Nutrition Program for Women, Infants and Children; or (ii) the consumer declares the household's annual income is less than 200% of the federal poverty level (see this link for the federal poverty levels applicable in California: <https://www.healthforcalifornia.com/covered-california/income-limits>). If a consumer demonstrates either of those circumstances, then the following apply:
1. Reconnection Fees: If service has been discontinued and is to be reconnected, then any reconnection fees during the Supplier's normal operating hours cannot exceed \$50, and reconnection fees during non-operational hours cannot exceed \$150. Those fees cannot exceed the actual cost of reconnection if that cost is less than the statutory caps. Those caps may be adjusted annually for changes in the Consumer Price Index for the Los Angeles-Long Beach-Anaheim metropolitan area beginning January 1, 2021.
 2. Interest Waiver: The Supplier shall not impose any interest charges on delinquent bills.
- F. Landlord-Tenant Scenario: The below procedures apply to individually metered detached single-family dwellings, multi-unit residential structures and mobile home parks where the property owner or manager is the customer of record and is responsible for payment of the water bill.



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1. Required Notice:

- a. At least 10 calendar days prior if the property is a multi-unit residential structure or mobile home park, or 7 calendar days prior if the property is a detached single-family dwelling, to the possible discontinuation of water service, the Supplier must make a good faith effort to inform the tenants/occupants at the property by written notice that the water service will be discontinued.
- b. The written notice must also inform the tenants/occupants that they have the right to become customers to whom the service will be billed (see Subdivision 2, below), without having to pay any of the then delinquent amounts.

2. Tenants/Occupants Becoming Customers:

- a. The Supplier is not required to make service available to the tenants/occupants unless each tenant/occupant agrees to the terms and conditions for service and meets the Supplier’s requirements and rules.
- b. However, if (i) one or more of the tenants/occupants assumes responsibility for subsequent charges to the account to the Supplier’s satisfaction, or (ii) there is a physical means to selectively discontinue service to those tenants/occupants who have not met the Supplier’s requirements, then the Supplier may make service available only to those tenants/occupants who have met the requirements.
- c. If prior service for a particular length of time is a condition to establish credit with the Supplier, then residence at the property and proof of prompt payment of rent for that length of time, to the Supplier’s satisfaction, is a satisfactory equivalent.
- d. If a tenant/occupant becomes a customer of the Supplier and the tenant’s/occupant’s rent payments include charges for residential water service where those charges are not separately stated, the tenant/occupant may deduct from future rent payments all reasonable charges paid to the Supplier during the prior payment period.

III. **Alternative Payment Arrangements:** For any consumer who meets the three conditions under Section II(C), above, in accordance with the process set forth in Section II(D), above, the Supplier shall offer the consumer one or more of the



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following alternative payment arrangements, to be selected by the Supplier in its discretion: (i) amortization of the unpaid balance under Subdivision (A), below; (ii) alternative payment schedule under Subdivision (B), below; (iii) partial or full reduction of unpaid balance under Subdivision (C), below; or (iv) temporary deferral of payment under Subdivision (D), below. The General Manager, or his or her designee, shall, in the exercise of reasonable discretion, select the most appropriate alternative payment arrangement after reviewing the information and documentation provided by the consumer and taking into consideration the consumer’s financial situation and Supplier’s payment needs.

A. Amortization: Any consumer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the Supplier shall confirm, may, if the Supplier has selected this alternative, enter into an amortization plan on the following terms:

1. Term: The consumer shall pay the unpaid balance, with the administrative fee and interest as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the General Manager or his or her designee; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may apply an amortization term of longer than twelve (12) months to avoid undue hardship on the consumer. The unpaid balance, together with the applicable administrative fee and any interest to be applied, shall be divided by the number of months in the amortization period and that amount shall be added each month to the consumer’s ongoing monthly bills for water service.
2. Administrative Fee; Interest: For any approved amortization plan, the consumer will be charged an administrative fee, in the amount established by the Supplier from time to time, representing the cost of initiating and administering the plan. At the discretion of the General Manager or his or her designee, interest at an annual rate not to exceed eight percent (8%) shall be applied to any amounts to be amortized under this Subsection A.
3. Compliance with Plan: The consumer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The consumer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Where the consumer fails to comply with the terms of the amortization plan for sixty (60) calendar days or more, or fails to pay the consumer’s current service charges for ~~sixty (60) sixty seventy five (6075)~~



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calendar days or more [after the Due Date of such current charges](#), the Supplier may discontinue water service to the consumer’s property at least five (5) business days after posting at the consumer’s residence a final notice of its intent to discontinue service.

- B. Alternative Payment Schedule: Any consumer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the Supplier shall confirm, may, if the Supplier has selected this alternative, enter into an alternative payment schedule for the unpaid balance in accordance with the following:
1. Repayment Period: The consumer shall pay the unpaid balance, with the administrative fee and interest as specified in Subdivision (2), below, over a period not to exceed twelve (12) months, as determined by the General Manager or his or her designee; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may extend the repayment period for longer than twelve (12) months to avoid undue hardship on the consumer.
 2. ~~—~~ Administrative Fee; Interest: For any approved alternative payment schedule, the consumer will be charged an administrative fee, in the amount established by the Supplier from time to time, representing the cost of initiating and administering the schedule. At the discretion of the General Manager or his or her designee, interest at an annual rate not to exceed eight percent (8%) shall be applied to any amounts to be paid under this Subsection B.
 3. Schedule: After consulting with the consumer and considering the consumer’s financial limitations, the General Manager or his or her designee shall develop an alternative payment schedule to be agreed upon with the consumer. That alternative schedule may provide for periodic lump sum payments that do not coincide with the established payment date, may provide for payments to be made more frequently than monthly, or may provide that payments be made less frequently than monthly, provided that in all cases, subject to Subdivision (1), above, the unpaid balance and administrative fee shall be paid in full within twelve (12) months of establishment of the payment schedule. The agreed upon schedule shall be set forth in writing and be provided to the consumer.
 4. Compliance with Plan: The consumer must comply with the agreed upon payment schedule and remain current as charges accrue in each subsequent billing period. The consumer may not request a



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longer payment schedule for any subsequent unpaid charges while paying delinquent charges pursuant to a previously agreed upon schedule. Where the consumer fails to comply with the terms of the agreed upon schedule for sixty (60) calendar days or more, or fails to pay the consumer's current service charges for ~~sixty~~ sixty (60) ~~seventy-five (6075)~~ calendar days or more after the Due Date of such current charges, the Supplier may discontinue water service to the consumer's property at least five (5) business days after posting at the consumer's residence a final notice of its intent to discontinue service.

- C. Reduction of Unpaid Balance: Any consumer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the Supplier shall confirm, may, if the Supplier has selected this alternative, receive a reduction of the unpaid balance owed by the consumer, not to exceed thirty percent (30%) of that balance without approval of and action by the Board of Directors; provided that any such reduction shall be funded from a source that does not result in additional charges being imposed on other customers. The proportion of any reduction shall be determined by the consumer's financial need, the Supplier's financial condition and needs and the availability of funds to offset the reduction of the consumer's unpaid balance.
 - 1. Repayment Period: The consumer shall pay the reduced balance by the due date determined by the General Manager or his or her designee, which date (the "Reduced Payment Date") shall be at least fifteen (15) calendar days after the effective date of the reduction of the unpaid balance.
 - 2. Compliance with Reduced Payment Date: The consumer must pay the reduced balance on or before the Reduced Payment Date, and must remain current in paying in full any charges that accrue in each subsequent billing period. If the consumer fails to pay the reduced payment amount within sixty (60) calendar days after the Reduced Payment Date, or fails to pay the consumer's current service charges for ~~sixty~~ sixty (60) ~~seventy-five (6075)~~ calendar days or more after the Due Date of such current charges, the Supplier may discontinue water service to the consumer's property at least five (5) business days after posting at the consumer's residence a final notice of its intent to discontinue service.

- D. Temporary Deferral of Payment: Any consumer who is unable to pay for water service within the normal payment period and meets the three conditions under Section II(C), above, as the Supplier shall confirm, may,



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if the Supplier has selected this alternative, have payment of the unpaid balance temporarily deferred for a period of up to six (6) months after the payment is due. The Supplier shall determine, in its discretion, how long of a deferral shall be provided to the consumer.

1. Repayment Period: The consumer shall pay the unpaid balance by the deferral date (the “Deferred Payment Date”) determined by the General Manager or his or her designee. The Deferral Payment Date shall be within twelve (12) months from the date the unpaid balance became delinquent; provided, however, that the General Manager or his or her designee, in their reasonable discretion, may establish a Deferred Payment Date beyond that twelve (12) month period to avoid undue hardship on the consumer.

2. Compliance with Reduced Payment Date: The consumer must pay the reduced balance on or before the Deferred Payment Date, and must remain current in paying in full any charges that accrue in each subsequent billing period. If the consumer fails to pay the unpaid payment amount within sixty (60) calendar days after the Deferred Payment Date, or fails to pay the consumer’s current service charges for ~~sixty-sixty (60) seventy-five (6075)~~ calendar days or more after the Due Date of such current charges, the Supplier may discontinue water service to the consumer’s property at least five (5) business days after posting at the consumer’s residence a final notice of its intent to discontinue service.

IV. Appeals: The procedure to be used to appeal the amount set forth in any bill for residential water service is set forth below. A consumer shall be limited to three (3) unsuccessful appeals in any twelve (12) month period and if that limit has been reached, the Supplier is not required to consider any subsequent appeals commenced by or on behalf of that consumer.

- A. Initial Appeal: Within ten (10) days of receipt of the bill for water service, the consumer has a right to initiate an appeal or review of any bill or charge. Such request must be made in writing and be delivered to the Supplier’s office. For so long as the consumer’s appeal and any resulting investigation is pending, the Supplier cannot discontinue water service to the consumer.

- B. Overdue Notice Appeal: In addition to the appeal rights provided under Subsection A, above, any consumer who receives an Overdue Notice may request an appeal or review of the bill to which the Overdue Notice relates at least five business (5) days after the date of the Overdue Notice if the consumer alleges the bill is in error with respect to the quantity of



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water consumption set forth on that bill; provided, however, that no such appeal or review rights shall apply to any bill for which an appeal or request for review under Subsection A, above, has been made. Any appeal or request for review under this Subsection B must be in writing and must include documentation supporting the appeal or the reason for the review. The request for an appeal or review must be delivered to the Supplier's office within that five (5) business day period. For so long as the consumer's appeal and any resulting investigation is pending, the Supplier cannot discontinue water service to the consumer.

C. Appeal Hearing: Following receipt of a request for an appeal or review under Subsections A or B, above, a hearing date shall be promptly set before the General Manager, or his or her designee (the "Hearing Officer"). After evaluation of the evidence provided by the consumer and the information on file with the Supplier concerning the water charges in question, the Hearing Officer shall render a decision as to the accuracy of the water charges set forth on the bill and shall provide the appealing consumer with a brief written summary of the decision.

1. If water charges are determined to be incorrect, the Supplier will provide a corrected ~~invoice-bill~~ and payment of the revised charges will be due within ten (10) calendar days of the ~~invoice-bill~~ date for revised charges. If the revised charges remain unpaid for more than ~~sixty (60) seventy-five (6075)~~ calendar days after the corrected ~~invoice-bill~~ is provided, water service will be disconnected, on the next regular working day after expiration of that ~~sixty-sixty (60) seventy-five (6075)~~ calendar day period; provided that the Supplier shall provide the consumer with the Overdue Notice in accordance with Section II(B)(1), above. Water service will only be restored upon full payment of all outstanding water charges, fees, and any and all applicable reconnection charges.

a. If the water charges in question are determined to be correct, the water charges are due and payable within two (2) business days after the Hearing Officer's decision is rendered. At the time the Hearing Officer's decision is rendered, the consumer will be advised of the right to further appeal before the Board of Directors. Any such appeal must be filed in writing within seven (7) calendar days after the Hearing Officer's decision is rendered if the appeal or review is an initial appeal under Subdivision A above, or within three (3) calendar days if the appeal or review is an Overdue Notice appeal under Subdivision B, above. The appeal hearing will occur at within the next regular two meetings of the Board of Directors, unless the consumer and Supplier agree to a later date.



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- b. For an initial appeal under Subdivision A, above, if the consumer does not timely appeal to the Board of Directors, the water charges in question shall be immediately due and payable. In the event the charges are not paid in full within ~~sixty-sixty (60) calendar days from the bill's Due Date~~seventy-five (6750) calendar days after the original billing generation date, then the Supplier shall provide with the Overdue Notice in accordance with Section II(B)(1), above, and may proceed in potentially discontinuing service to the consumer's property.
 - c. For an Overdue Notice appeal under Subdivision B, above, if the consumer does not timely appeal to the Board of Directors, then water service to the subject property may be discontinued on written or telephonic notice to the consumer to be given at least twenty-four (24) hours after the latter to occur of: (i) expiration of the original ~~sixty-seventy five (6075) calendar day~~ notice period set forth in the Overdue Notice; or (ii) the expiration of the appeal period.
2. When a hearing before the Board of Directors is requested, such request shall be made in writing and delivered to the Supplier at its office. The consumer or consumer's counsel will be required to personally appear before the Board and present evidence and reasons as to why the water charges on the bill in question are not accurate. The Board shall evaluate the evidence presented by the consumer, as well as the information on file with the Supplier concerning the water charges in question, and render a decision as to the accuracy of said charges.
- a. If the Board finds the water charges in question are incorrect, the consumer will be ~~invoiced-billed~~ for the revised charges and payment shall be due within ten (10) days of the date of the revised bill. If the revised charges remain unpaid for more than ~~sixty-sixty (60)seventy five (6075)~~ calendar days after the due date for that corrected invoice-bill-is-provided, water service will be disconnected, on the next regular working day after expiration of that ~~sixty-sixty (60)seventy five (6075)~~ calendar day period; provided that the Supplier shall provide the consumer with the Overdue Notice in accordance with Section II(B)(1), above. Water service will be restored only after outstanding water charges and any and all applicable reconnection charges are paid in full.



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- b. If the water charges in question are determined to be correct, the water charges are due and payable within two (2) business days after the decision of the Board is rendered. In the event the charges are not paid in full within ~~sixty-sixty (60) seventy-five (60/75)~~ calendar days after the original bill's ~~Due Date~~ ing generation date, then the Supplier shall provide ~~with~~ the Overdue Notice in accordance with Section II(B)(1), above, and may proceed in potentially discontinuing service to the consumer's property.
- c. Any overcharges will be reflected as a credit on the next regular bill to the consumer, or refunded directly to the consumer, at the sole discretion of the Board.
- d. Water service to any consumer shall not be discontinued at any time during which the consumer's appeal to the Supplier or its Board of Directors is pending.
- e. The Board's decision is final and binding.

V. **Restoration of Service:** In order to resume or continue service that has been discontinued due to non-payment, the consumer must pay a security deposit and a Reconnection Fee established by the Supplier, subject to the limitation set forth in Section II(E)(1), above. The Supplier will endeavor to make such reconnection as soon as practicable as a convenience to the consumer. The Supplier shall make the reconnection no later than the end of the next regular working day following the consumer's request and payment of any applicable Reconnection Fee.

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