

## **Baileyville Utilities District Mission Statement**

### **Goals:**

1. Responsibly; serve the public.
  - a. Conduct the District's business in a legal, ethical, open and transparent manner.
  - b. Promote communication and cooperation with other public and private agencies.
  - c. Develop and implement high standards of customer service.
  - d. Develop and implement high operational standards, procedures and Codes of Conduct.
  
2. Provide a healthy and safe work environment for all District employees.
  - a. Comply with all State and Federal regulations regarding worker safety.
  - b. Maintain the District's wellness program.
  - c. Reduce employee injuries by maintaining an active and effective safety program.
  
3. Manage the District in an effective, efficient and fiscally responsible manner.
  - a. Utilize modern, cost effective work methods and equipment.
  - b. Employ a qualified and productive workforce without discrimination to age, sex, race, or religion.
  - c. Provide safe work conditions and procedures that encourage employee growth, productivity and retention.
  - d. Develop appropriate financial procedures to assure responsible financial management.

**BAILEYVILLE UTILITIES DISTRICT  
TERMS AND CONDITIONS**

**THIRD REVISION**

**DOCKET NO: 2020-00088  
EFFECTIVE: 5/1/2020**

**JOHN GALLANT, CHAIRMAN  
BOARD OF TRUSTEES**

TERMS AND CONDITIONS

Baileyville Utilities District

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The following Terms and Conditions as adopted by the Baileyville Utilities District and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions, and to take water only for purposes stated in the application and at the established rates.

### DEFINITIONS

**Commission.** "Commission" refers to the Maine Public Utilities Commission.

**Customer.** "Customer" means any person or business that has applied or is either receiving Utility service or has agreed to be billed for service. This term also includes a person or business that was a Customer of the same Utility within the past thirty (30) days and who requests service at the same or a different location.

**Establishment.** "Establishment" means a location at which water service is sought or is being rendered.

**Jobbing.** "Jobbing" means work that the Utility agrees to do, at the Customer's expense, which is outside the scope of regulated Utility service.

**Limited Service Contract.** "Limited Service Contract" means a written agreement, approved by the Commission, under which a water Utility agrees to provide, and the Customer agrees to accept a substandard level of service described in the contract.

**Main.** "Main" means a water pipe, other than a Service Pipe, which is owned, operated, and maintained by the Utility, and used for the transmission or distribution of water.

**Multi-Unit Establishment.** "Multi-Unit Establishment" means any Establishment with more than one unit, including but not limited to condominiums, apartment buildings, mobile home parks, cottages, developments, and certain subdivisions.

**Normal Business Hours.** "Normal Business Hours" are defined as hours 7:00 A.M. – 3:00 P.M., Monday – Friday (excluding holidays) that the Utility is open to the public to transact business.

**Other Hours.** "Other Hours" means any hours that are not defined as Normal Business Hours.

**Private Line.** "Private Line" means: (1) A water line constructed prior to May 7, 1986 across private property to serve one or more Customers and not considered by the Utility to be a Main; (2) except as provided under Chapter 65 § 2(c), a water line constructed after May 7, 1986 across private property to serve a single Customer, a single Multi-Unit dwelling complex or a single commercial or industrial development upon which no other person has an easement or other rights of access for water line purposes.

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**Seasonal Customer.** "Seasonal Customer" means a Customer that regularly takes service for only a portion of the year. A Seasonal Customer will be subject to the rules and rates in effect.

- Seasonal water service and disconnection of seasonal water service will be by appointment only.

**Service Pipe.** "Service Pipe" and "Service Line" mean the pipe running from the Main to the Customer's Establishment.

**Short-Term Seasonal Rental Property.** "Short-Term Seasonal Rental Property" means seasonal rental property for which the rental period is less than one month.

**Temporary Establishment.** "Temporary Establishment" means an Establishment that the Utility believes to be of a temporary nature after considering the location, setting, structures, and use of the Establishment. The absence of a cellar or permanent foundation shall not be the sole criterion used by the Utility in determining that an Establishment is of a temporary nature.

**Utility.** The word "Utility" refers to the Baileyville Utilities District trustees.

1. **UTILITY SERVICE AREA.** Pursuant to 1975 Private and Special Law, Chapter 79, effective January 28, 1977, the Baileyville Utilities District is permitted to serve the inhabitants and others within the boundaries of the Town of Baileyville.
2. **APPLICATION FOR SERVICE.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules, the owner or the owner's agent, or the occupant of the Establishment to be served must apply for service, or a change of service on forms provided by the Utility.

Any tenant may become a Customer if the tenant assumes responsibility for future service under the conditions set forth in Title 35-A M.R.S. §706(2), and Chapter 660 of the Maine Public Utilities Commission Rules §10(I)(2).

Application for service for Seasonal Property and Short-Term Seasonal Property shall be made only by the owner of the Establishment to be served.

A Seasonal Customer that regularly vacates the premises for three months or less may choose in writing to be classified as an annual Customer, subject to the rates in effect, notwithstanding any request for temporary suspension of service.

The Utility shall determine the size of the meter, which shall be reasonable in view of the nature of the water service to be provided. If a new service connection or other work on the owner's premises is required, the owner must authorize the Utility to enter the premises to do the necessary work.

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3. **BILLING PROCEDURES.** Minimum charges for metered service shall be billed quarterly in advance. Water used in excess of the minimum for metered water shall be billed quarterly in arrears. The Utility reserves the right to render bills monthly, in arrears or advance, at its discretion

Public and Private Fire Protection charges are billed quarterly in advance. The Utility reserves the right to bill monthly or annually, at its discretion.

4. **CREDIT AND COLLECTION PROCEDURES.** All credit and collection procedures for both residential and -commercial Customers will be based upon Chapter 660 of the Maine Public Utilities Commission Rules and Chapter 870 of the Maine Public Utilities Commission Rules.

The Utility may demand a deposit from a Customer as permitted by Chapter 660 of the Maine Public Utilities Commission Rules §7. Pursuant to Chapter 870 of the Maine Public Utilities Commission Rules. The interest rate on Customer deposits shall be the rate set by the Commission.

An amount is overdue when it has not been paid by the due date. The due date must be no less than twenty-five (25) days after the bill is mailed, hand-delivered or electronically mailed to the Customer. A bill is considered mailed on the date it is postmarked. If there is no postmark, the Utility shall date the bill and mail on or before the date on the bill.

5. **LATE PAYMENT CHARGES.** Late payment charges may be assessed for overdue bills that are not paid by the due date. The late payment charges shall be no more than the maximum allowed pursuant to Chapter 870 of the Maine Public Utilities Commission Rules, to be determined annually.

6. **TERMS OF PAYMENT.** Pursuant to Chapter 660 of the Maine Public Utilities Commission's Rules § 8(F)(1) if the due date for payment falls on a Saturday, Sunday, legal holiday, or any other day when the Utility's offices are not open for business, the Utility shall extend the due date to the next business day.

If the Customer sends payment by mail, payment is made on the date the Utility receives the payment in accordance with Chapter 660 of the Maine Public Utilities Commission Rules §8(F)(2).

It is the Customer's responsibility to provide correct billing addresses. Failure to receive a bill does not relieve the Customer of the obligation of payment, nor for the consequences of non-payment.

7. **CHARGE FOR RETURNED CHECKS.** In accordance with Chapter 870 of the Maine Public Utilities Commission Rules, any Customer whose check is returned for nonpayment to the Utility by a financial institution will be charged the greater of \$5.00 per account to which the check is to be applied or the amount that the financial institution charges the Utility, not to exceed \$15.00 for each check returned

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for nonpayment. If the Customer is charged more than \$5.00, the Utility will provide the Customer a copy of the financial institution's charges upon request.

8. **CHARGES FOR ESTABLISHMENT OF SERVICE.** The Utility will charge \$16.00 to establish water service if it is not necessary for the Utility to visit the premises. If necessary, for the Utility to visit the premises during Normal Business Hours the Utility will charge \$43.00 per hour, one-hour minimum to establish water service. During Other Hours, the Utility will charge \$60.00 per hour, one-hour minimum to establish water service.
9. **CHARGES FOR RESTORATION/RECONNECTION OF SERVICE.** The Utility will charge the Customer a Restoration/Reconnection fee to restore service at the Customer's premises for any reason allowable under Chapter 660 of the Maine Public Utilities Commission Rules § 12(D) and these Terms and Conditions. The Restoration/Reconnection charge is \$43.00 per hour, one-hour minimum for a resumption of service made during Normal Business Hours. The charge for a resumption of service made during Other Hours is \$60.00 per hour, one-hour minimum. (Each customer can have one normal business hour reconnection fee waived per five-year period due to an emergency situation, which includes, but is not limited to, a water leak or a broken fixture. After that, all fees must be paid in full. This will only apply to the restoration/reconnection charge during normal business hours.)
10. **COLLECTION TRIP FEE.** Pursuant to Chapter 660 of the Maine Public Utilities Commission Rules §10(K)(3)(C), if Utility representatives visit the Customer's premises to disconnect service for non-payment and in lieu of disconnection, the Customer pays or makes a payment arrangement for the entire past due balance, the Utility will charge the Customer a \$23.00 Collection Trip Fee. (The Utility reserves the right to waive one Collection Trip Fee per customer per every five years.)
11. **ABATEMENTS.** The Utility may provide an abatement to a Customer for an out of the ordinary event under the below-listed conditions. It is solely the decision of the Utility whether the following conditions have been met:
  - a. A leak or break occurred at the Customer's premises not resulting from Customer negligence; and,
  - b. The leak or break was repaired, or the water was shut-off while awaiting repair within a reasonable time; and,
  - c. The Customer requested the abatement within twenty-five (25) days of receipt of the bill in question; and,
  - d. The Customer has had an account at this location for at least one (1) year prior to the request; and,

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- e. No abatements within the past five (5) years have been granted to this Customer at any location within the Utility.

If all the above-specified conditions are met, the Utility may provide an abatement. The abatement will not exceed the lesser of \$200.00 or half the difference between the bill in question and what the bill would have been based on the usage for the same billing period from the previous year.

The Utility will review each abatement request on an individual basis and may grant or deny abatements based on available information.

- 12. **DISCONNECTION OF LEASED OR RENTED PROPERTY.** Before disconnecting a leased or rented residential property, the Utility shall comply with the notice requirements contained in Chapter 660 of the Maine Public Utilities Commission Rules §10(l) and must offer the tenant the right to take responsibility for future payments.

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

- a. Apply any existing deposit to the current account balance, and
- b. Assess against the property owner a collection fee of \$60.00.

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

- 13. **CHARGES FOR REMOVAL OF SNOW, ICE, OR OTHER OBSTACLES DURING DISONNECTION OR RECONNECTION REQUESTED BY THE CUSTOMER.** The Customer will be responsible for clearing snow, ice, or any obstacles to the shut-off valve and/or meter when requesting a disconnection, including, but not limited to emergency requests resulting from a frozen meter. If the Customer does not fulfill this responsibility and the Utility must clear the area to perform the requested disconnection, the Utility will charge the Customer at the following rates; during Normal Business Hours, \$43.00 per person, per hour, with a one-hour minimum charge, plus the cost of equipment rental, if applicable. The charge for Other Hours will be \$60.00 per person, per hour, with a one-hour minimum charge, plus the cost of equipment rental, if applicable.
- 14. **SERVICE INTERRUPTION.** Water Service may be interrupted when it is necessary to repair or maintain the Utility delivery system (planned or unplanned); to eliminate an imminent threat to life, health, safety, or substantial property damage; or for reasons of local, state, or national emergency. Notice will be given at least twenty-four hours in advance of the interruption of service for planned shut-off's. Chapter 660 § 14(A) of the Maine Public Utilities Commission Rules provides details about reasonable notice of affected Customers.

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15. **ACCESS TO PREMISES.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules §4(A), as a condition of service, representatives of the Utility providing proper identification to either the Customer or owner shall have reasonable access at all reasonable hours, to all premises served by the Utility, to inspect all plumbing and fixtures, to set, remove, or read meters, to ascertain the amount of water used and manner of use, and to enforce these Terms and Conditions.
16. **LIABILITY.** The Utility will only be liable for any damages arising from claims to the extent liability is expressly provided in the Maine Tort Claims Act, as set forth in Title 14 M.R.S. § 741. The Utility will not be responsible for any damages caused by discolored water, and makes no representations or warranties, expressed or implied, about the suitability of any water provided by the Utility for any particular purpose.
17. **UNAUTHORIZED USE OF WATER.** No Customer shall supply water to another nor use it for any purposes not mentioned in his/her application without Utility approval. No Customer or his agent shall obtain water from any hydrant or other fixture of the Utility without the previous consent of the Utility. No Customer or his agent shall bypass any meter, nor restore service without Utility authorization, nor unreasonably interfere with Utility service nor otherwise take action to prevent the proper metering of water consumed by the Customer. In the event of the discovery of such unauthorized use of water, the Customer shall be immediately disconnected, pursuant to Chapter 660. In addition, the Utility shall be entitled to bill and recover from the Customer or responsible person the cost of the estimated amount of water consumed, based on the Utility's approved rates, plus interest at an annual rate of 5%. Where the unauthorized use of water has occurred, the Utility may also assess the Customer or responsible person a fee of \$43.00 per hour, per person, one-hour minimum charge, for each service visit to the Customer's premises necessary to investigate and address the unauthorized use of water, including removing the meter bypass, taking measures to prevent further diversion of water, and verifying that corrective measures have been taken and maintained. For service visits that occur during Other Hours, the fee will be \$60.00 per hour, per person, one-hour minimum charge. In no case shall the total of such hourly fees exceed \$100.00. In addition, pursuant to Title 35-A M.R.S. §2706 as amended or replaced, the Customer or person responsible for the unauthorized use may be liable in a civil action to the Utility for all other reasonable costs to the Utility, including attorney's fees, costs of undertaking and completing the investigation resulting in the determination of liability, and for a civil penalty not to exceed twenty five hundred dollars (\$2,500.00), due and payable to the Utility for each violation. No Customer shall supply water to another nor use it for any purposes not mentioned in their application without Utility approval.
18. **NO TAMPERING WITH UTILITY PROPERTY.** No person may tamper with Utility property or real-estate. No valve, valve sealing mechanism, meter, outside reader, shutoff, hydrant, standpipe or any other equipment or appurtenance that is the property of the Utility shall be opened or closed or otherwise operated, modified, or removed by other than persons authorized by the Utility. Tampering will subject

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a Customer or other responsible party to the same charges and actions outlined in these Terms and Conditions § 16, *Unauthorized Use of Water*. In addition, in the event of such tampering, the responsible party may be subject to a civil action, pursuant to Title 35-A M.R.S. §2707, as amended or replaced.

- 19. **MAINTENANCE OF PLUMBING.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 3(F), to prevent leaks and damages, a Customer shall maintain at their own expense the plumbing and fixtures within their own premises in good repair and protect them from freezing or from heat damage. If damage occurs, the Customer is liable for any expenses incurred. A leak or break that is considered a serious danger to the water system will be cause for immediate disconnection of the Customer. If a leak is discovered that is not considered an imminent threat to the system, but may be a long-term or cumulative danger, the Customer will be notified in writing by the Utility and will be given a reasonable amount of time to repair the leak. If the repair is not completed by that time, the Customer will be subject to disconnection, pursuant to Chapter 660 of the Maine Public Utilities Commission Rules § 10.
- 20. **CONSERVATION.** All Customers shall minimize the waste of water. Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 2(K), when necessary to conserve the water supply or in the event of an emergency, the Utility may restrict or prohibit, the use of hoses, lawn sprinklers, waste or improper usage and non-agricultural irrigations systems. Under these conditions, the Utility will decide what constitutes waste and improper usage to protect the health and safety of the water system.
- 21. **CROSS CONNECTIONS.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules §4(E), as a condition of service, no cross connection between the public water supply system and any other supply will be allowed unless properly protected, based upon the Maine State Department of Health and Human Services and the Maine Internal Plumbing Code. No new cross connection may be installed without the express, written approval of the Utility. In addition, no connection will be permitted capable of causing back-flow, including back-siphonage or back-pressure, between the public water supply system and any plumbing fixture, device, or appliance, or between any waste outlet and a pipe having a direct connection to waste drains. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limit specified by the Utility, the Utility may disconnect the service according to Chapter 660 of the Maine Public Utilities Commission Rules § 10. The Utility’s Cross Connection Control Program is on file at the Utility office and Maine State Department of Health and Human Services.
- 22. **BACKFLOW-PREVENTION DEVICE TESTING.** Customers with testable back-flow devices are responsible for completing device testing according to the Utility schedule, available in the Utility office. The Customer must select a certified professional to comply with this requirement and will pay the charges for the testing and for any necessary repairs directly to the contractor. Upon completion, the Customer must send the Utility a copy of each signed certified test. If a Customer does not comply with the testing requirement or does not make repairs necessary to maintain full functionality of the device,

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the water service will be disconnected as a dangerous condition, pursuant to the Utility's Cross Connection Control Program and to Chapter 660 of the Maine Public Utilities Commission Rules.

23. **STOP AND WASTE VALVE.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules §4(B), as a condition of service, each service must be provided with a minimum of one operable stop valve located inside the building. Additionally, the Utility requires a second stop valve. The stop valves must be near the service entrance, easily accessible, and protected from freezing. All plumbing must be installed to comply with applicable plumbing codes, to prevent back-siphonage and to permit draining whenever necessary. The Utility has the right to require operable stop valves on existing plumbing (one on each side of the meter.)
24. **FLUCTUATION OF PRESSURES BY CUSTOMER'S APPARATUS.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 4(C), as a condition of service, Customers may not install or use any device that will affect the Utility's pressure or water quality without prior Utility written permission. If permission is granted, the Utility may require the Customer to confine or reduce such fluctuations to limits determined by the Utility.
25. **SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 4(D), as a condition of service, Customers must install vacuum, temperature and pressure relief valves or cutouts to prevent damage to a direct pressure water device or system supplied by an automatic feed valve. The Utility is not liable for any damage resulting from the lack of, or failure of these devices.
26. **JOINT USE OF SERVICE PIPE TRENCH.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 2(F), the Utility shall not place water Main or Service Pipe in the same trench with facilities of other utilities. The Utility shall provide a horizontal separation of ten (10) feet between water Mains and other utilities. Where extenuating, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed if all parties agree, provided that the installation complies with all applicable laws, rules, and regulations.
27. **UTILITY JOBBING.** In accordance with Chapter 62 of the Maine Public Utilities Commission Rules § 2(B), Jobbing is the provision of unregulated Utility services, such as construction services. If the Utility agrees to do work outside the scope of regulated Utility service for a Customer, at the Customer's expense, the Utility may require an advance payment equal to the Utility's estimated cost of the work. At the completion of the work, any excess over the actual bill will be returned, and any amount due in excess of the advance payment will be payable.

Jobbing rates are established annually by the Utility and are available upon request. (See Appendix B)

28. **WINTER CONSTRUCTION.** No new service or extension of Mains will be installed for the convenience of the Customer during winter conditions that increase the cost of the work for the Utility unless the Customer assumes all extra expense over ordinary construction costs.

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29. TEMPORARY SERVICE. If it is impractical for the Utility to provide water service directly to a Customer, water service may temporarily be served from an adjacent property receiving service. Both the Utility and owner of the adjacent property's providing and receiving service must authorize the use of temporary service. The Customer requesting water service will be responsible for all expenses associated with providing temporary service to the premises.

30. METERING AND NEW SERVICE LINES.

30.1 General Requirements. The Customer may receive water through a meter upon application to the Utility. The size and type of meter, in all cases, will be determined by the Utility. All water sold by the Utility shall be based on meter measurements or as otherwise provided for in its rate schedules. The Utility may install meters whenever and wherever believed necessary.

30.2 Metering. No Customer shall supply water to another, nor use it for purposes not mentioned in their application without prior written Utility approval. At its discretion, the Utility reserves the right to require separate piping, meter and shut-off for each building as a condition of service, except as provided in Chapter 660 of the Maine Public Utilities Commission Rules. Where there is more than one (1) abode or business in a building supplied with water, the Utility may require the owner to arrange the plumbing to permit separate piping and a separate meter and shut-off for each abode or business in locations acceptable to the Utility. The cost of the meter, appurtenances, installation, shall be borne by the Customer unless otherwise agreed upon before service is rendered. Meter size is to be determined by the Utility.

All Utility Customers are required to have water meters which will be installed, maintained, and read by the Utility. The Utility will provide new meters as part of a new meter replacement program. New customers shall bear the cost of the meter, appurtenances, and installation. In addition, when meters are not taken care of properly and become damaged, the customer must pay the cost for a replacement meter.

The Customer must provide a warm, dry, and accessible location for the meter. All meter installations shall be in accordance with the Utility's requirements, standards, and specifications. At its discretion, the Utility may require Customers to relocate existing meters, piping, shut-off and appurtenances, at the property owner's expense, as a condition of service and in accordance to the Utility's standards, and specifications.

30.3 Meter Location. Single-Family Residential. Meters may not be located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under a residence. The Utility with advanced notice may require that existing meters in crawl

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spaces be relocated. The water meter shall be placed where the water Service Line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the Service Line comes through the floor of the mechanic/utility room.

All water meters installed within buildings shall be within forty-eight (48) inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than twenty-four (24) inches and not more than forty-eight (48) inches above the floor surface.

Meters, once set, may be changed in location at the request of the Customer, at their own expense. Only an agent of the Utility may approve the meter relocation.

A rear building served by a water line through the front building as of the date of the adoption of these Terms and Conditions, may continue in this manner if both are on the same lot and under the same ownership regardless of any major repairs to the Service Line to the front building. The main water service shall not be branched. If the rear building is sold, replaced, or the property is divided, a new direct Service Line with separate meter(s) shall be installed in accordance with these Terms and Conditions.

- a) Apartments, Duplexes, Condominiums and Commercial Buildings. The Utility requires all new multi-tenant buildings to be individually metered. The owner shall bear the cost of the meters and installation. The installation of the individual meters shall be installed in a common location, with keyed access from the exterior of the building and shall be installed in accordance with the Utility's requirements. If meters cannot be installed in a common location with access from the exterior of the building, then individual Service Lines with curb stop valves must be installed into the building.

The water meter shall be placed where the water Service Line comes through the basement wall or basement floor. Where no basement is provided, the meter shall be placed where the Service Line comes through the floor of the mechanical/utility room. All water meters installed within buildings shall be within forty-eight (48) inches from where the water service first penetrates the floor or wall of the structure. The water meter shall be set at a height not less than twenty-four (24) inches and not more than then forty-eight (48) inches above the floor surface. Meters shall be located in a clean, dry, warm, and easily accessible location. Meters may not be located above the first or ground floor level under any circumstances. No water meters may be installed in a crawl space under any building. Meters, once set, may be changed in location at the request of the Customer, at their own expense. An agent of the Utility will only install the meter. All piping changes would be done by the customer's licensed plumber.

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- b) **Mobile Homes.** Water meters for all new or replacement mobile homes placed on a concrete paved or gravel slab shall be located inside the home in a warm, dry, and accessible location. The meter may not be installed under the home. Mobile homes placed on full basement foundations are considered Single Family Residential as described above.

The safety of Utility employees is paramount. If a water meter is located under the mobile home, the Utility requires the Customer to provide safe access to the meter for service work by removing the skirting where the meter is located, all insulation, and heat tape prior to the arrival of Utility personnel. The Customer will be responsible for reinstalling the insulation, heat tape and skirting once the service is complete. Failure of a Customer to provide safe access to the water meter as described above will result in the initiation of disconnection proceedings pursuant to the Maine Public Utilities Commission Rules Chapter 660.

- c) **Mobile Home Parks.** Mobile home parks whose water distribution system is not owned and maintained by the Utility shall be metered at the point of entry of the water Service Line onto the property with a single master meter. The master meter shall be placed inside a structure meeting the Utility's current specifications. The meter structure (pit or ground building) shall be owned, installed, and maintained by the Customer in good repair at the Customer's expense.
- d) **Multi-Unit, Development.** Multi-Unit developments shall be required to have a separate meter. All meters within the same development complex shall be classified as Short-Term Rental Property and billed to the owner, association, corporation, or other responsible entity.
- e) **Campgrounds and RV Parks.** The Utility reserves the right to approve, at the owner(s) request, the master metering of Multi-Unit or multi-site campgrounds and RV Parks that are principally used by transient guests. Campgrounds and RV Parks that subsequently convert individual sites or units to non-transient use shall be required to individually meter each site or unit.

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

30.5 **Charges for Repairs, Replacement of Damaged Water Meters, and Other Utility Equipment.** Pursuant to Chapter 62 of the Maine Public Utilities Commission Rules § 3(F), the Utility may charge a Customer for costs incurred for the repair or replacement of meter(s) or other Utility

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equipment damaged due to Customer negligence or improper care. During Normal Business Hours, the charge will be \$43.00 per person, per hour, one-hour minimum. During Other Hours, the charge will be \$60.00 per person, per hour, one-hour minimum. In all cases, the Customer will be charged for the cost of the necessary replacement parts, including the meter. As specified in these Terms and Conditions § 12, Charges for Removal of Snow, Ice, or other Obstacles during Disconnection Requested by the Customer, if snow, ice, or other obstacles must be removed to complete the requested repair, total hours and equipment fees for the removal service will be charged to the Customer.

- 30.6 **Meter Testing.** The Utility will test its water meters in accordance with Chapter 62 of the Maine Public Utilities Commission Rules § 3 (G). Upon Customer request, the Utility will test the Customer's water meter at no charge, in the presence of the Customer or representative, unless the Customer requests more than one test in an eighteen (18) month period.

If the Customer requests a test more frequently, the Utility will require the Customer to pay a deposit to cover the expense of the test. The deposit amount will be \$43.00 per person, per hour, one hour minimum. These tests are only offered during normal work hours. The deposit for testing larger meters will be determined on a case basis depending upon the cost of the test. The customer will be notified in advance, the cost of the test. If a meter tested at the Customer's request does not conform to standards, the Customer's deposit will be refunded, and the Utility will adjust the Customer's bill according to the provisions of Chapter 62 of the Maine Public Utilities Commission Rules § 3(F). If the meter conforms to standards, the Utility shall keep the Customer's deposit and continue to use the meter at the premises.

- 30.7 **Meter Pits and Vaults.** In accordance with Chapter 62 of the Maine Public Utilities Commission Rules § 3(E), the use of meter pits or vaults is discouraged due to accessibility and safety issues. The use of meter pits or vaults will be considered on a case-by-case basis and requires prior written Utility approval. Meter pits or vaults must be installed and operated in accordance with the Utility's current specifications. The ownership, installation, and maintenance of all meter pits and vaults shall be and remain the responsibility of the Customer.

The meter pit or vault must be located on the Customer's property as close to the property line as possible. The meter pit or vault must be installed in such a manner to keep the pit or vault clean and dry at all times.

All piping and valves within the meter pit or vault must be installed as directed by the Utility.

The Utility reserves the right to inspect all materials and contractor work at no cost to the Customer, prior to connecting the meter, and may require work to be redone if the standards and specifications are not met. If a follow-up inspection is required due to inadequate preparation by the Customer or contractor, or lack of adherence to the specifications, the Customer will be responsible for the cost of the extra visit(s) at a charge of \$43.00- per

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inspection. The Customer shall pay all inspection charges, prior to service connection, as a condition of service.

- 30.8 **Service Lines and Meters.** The Customer must complete a written application for a new service, and the Utility reserves the right to pre-approve the design. All new Service Lines shall be installed at the Customer's expense, in accordance with Utility standards and material specifications and as permitted in Title 35-A M.R.S. § 6106. . The *Customer* may elect to contract with the *Utility* to install the *Service Line* from the *Main* to the curb-stop, or contract with a *Utility* approved private contractor to complete the installation. The *Utility* shall own and maintain the *Service Line* portion of all *Service Pipes* that shall extend from the *Main* to the curb stop (shut off valve). The curb stop shall normally be located at the limit of the public way or the *Utility's* right of way. The *Utility* will be responsible for all *Service Lines* within the limits of the highway or right of way. If a public way must be crossed, such crossing shall be installed in accordance with *Utility* standards and material specifications and be installed by the *Utility*. With prior approval, the *Utility* may allow the *Customer* to hire a *Utility* approved contractor for the entire installation, and all costs shall be paid by the *Customer*.

As permitted in Title 35-A M.R.S. § 6106, and Chapter 62 of the Maine Public Utilities Commission Rules § 2(C), the *Customer* shall install at the *Customer's* expense and shall own and maintain the *Service Pipe(s)* from the curb stop to the *Customer's* premises. The costs incurred by the *Customer* shall include equipment rental, labor, materials, and necessary appurtenances for installation, including the meter. The *Utility* shall require individual *Service Pipe(s)* for individual properties, lots, or land parcels regardless of ownership of the properties, lots, or land parcels and that the *Service Pipe(s)* is installed in accordance with *Utility* standards and material specifications.

The *Customer* will be responsible for obtaining *Utility* approval for the work. In addition, the *Customer* will contract with a *Utility* approved professional for the excavation and installation from the curb stop into the building and for the piping across the roadway, if needed. The *Customer* will pay all contractor charges.

The *Service Pipe(s)* location will be set or reviewed by the *Utility* prior to excavation and must be installed to applicable plumbing codes and to *Utility* standards and material specifications, which are available at the *Utility* business office. The *Utility* reserves the right to inspect the materials and installation and must be notified before they are buried and enclosed. If a site visit has been scheduled, and if the *Utility* must later return to the premises due to inadequate preparation by the *Customer* or the contractor, or lack of adherence to the specifications, the *Customer* will be responsible for the cost of the additional visit(s).

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The *Utility* will be responsible for the installation of the meter and other related appurtenances during *Normal Business Hours*. At its discretion, the *Utility* may subcontract any part of this work. The costs to the *Customer* for all *Utility* installed and any subcontracted portions of the installation are as follows,

The *Utility* will charge \$43.00 per person, per hour, one-hour minimum, for all work performed by the *Utility* and for the inspection and approval of contracted work during *Normal Business Hours*. The charge for *Other Hours* will be \$60.00 per person, per hour, one-hour minimum.

The cost of necessary labor, materials, and equipment rental, if applicable, including the cost of the meter.

A written estimate will be provided to the *Customer* for the *Utility's* portion of the work, and a deposit equal to the estimate will be collected to be applied to the cost of the installation, prior to the *Utility* performing the work. Final reconciliation of the job costs will be provided upon completion, and if applicable, the *Utility* will return any excess deposit at that time. If the actual cost exceeds the deposit, the *Customer* must pay the additional amount as per the written agreement between the *Utility* and the *Customer*, as a condition of service.

- 30.9 **Remote Reading Registers.** The Customer shall pay for the remote register and installation, but the equipment shall be owned and maintained by the Utility pursuant to Chapter 62 Maine Public Utilities Commission Rules § 3(D)(I).
31. **EXTENSIONS OF MAINS.** All water Main extensions shall be installed in accordance with all style and the Utility's standards and material specifications. Requests for water Main Extensions shall be treated in accordance with Chapter 65 of the Maine Public Utilities Commission Rules.
- 31.1 **Plan Reviews.** In accordance with Chapter 65 of the Maine Public Utilities Commission Rules § 4(C), if it is necessary for the Utility to provide detailed engineering design/review for subdivisions and/or commercial entities, the Customer shall pay the estimated cost of the design/review prior to the commencement of the design/review.
32. **FIRE HYDRANTS.** Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Utility. In the case of training exercises, notification shall be made to the Utility, prior to and immediately after completion. In the event of fire extinguishment, the fire department will notify the Utility of hydrant use within a reasonable time of declaring the fire under control to allow for proper maintenance. Fire hydrants must not be opened by any person other than an agent of the Utility or a duly authorized representative of the municipality. The Utility reserves the right to meter any fire line where it has reason to believe water is being taken for purposes other than fire protection.

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33. **PRIVATE FIRE PROTECTION.** Customers requesting Private Fire Protection must contact the Utility to determine the availability of fire service at their location. Fire service, if available, will be installed at the Customer's expense. Any special Service Line within the public right of way will be owned and maintained by the Utility and be considered a Main for the purposes of these Terms and Conditions. Private Fire Protection Service Lines shall be considered Service Pipe(s) for the purposes of these Terms and Conditions and shall not be used for domestic water use. Rates for various types or sizes of Private Fire Protection can be found in the Utility's Rate Schedule.

*Any Customers choosing to test/flush Service Pipe(s) or apparatus are required to give the Utility at least two business days' notice. The Customer must first receive the written permission of the Utility. The Customer must also compensate the Utility for both the actual costs of any public notice of the test/flush, determined by the Utility to be reasonable and necessary, and also the cost of any flushing of the system determined by the Utility to be reasonable or necessary to correct any discoloration of water caused by the Customer's test/flushing*

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**SCHEDULE OF METERED RATES**

This rate is available to all residential, commercial, industrial and governmental customers not covered by any other special rates in this schedule.

**Quarterly Rates:**

0 to 10,000 gallons per quarter  
 For the next 60,000 gallons per quarter  
 In excess of 70,000 gallons per quarter

Phase 2

\$92.69  
 \$4.07 per 1000 gallons  
 \$1.89 per 1000 gallons

**Minimum Charge:**

The minimum charge for different sizes of meters will be billed on either a monthly, quarterly or seasonal basis in accordance with the District's billing procedures. Temporary or seasonal vacancy shall not be cause for abatement of minimum charges.

Size of Meter Inches	Water Allowance Gallons	Minimum Charge	
		Quarterly	Monthly
5/8	10,000	\$92.69	\$30.90
3/4	18,000	\$125.24	\$41.75
1	30,000	\$174.05	\$58.02
1 1/2	60,000	\$298.10	\$98.70
2	100,000	\$393.28	\$131.09
3	200,000	\$581.59	\$193.86
4	300,000	\$769.90	\$256.63
6	600,000	\$1,334.83	\$444.94
8	1,200,000	\$2,464.70	\$821.57

The minimum charge per year or per season shall be four times the quarterly charges.

**Terms of Payment:**

All minimum meter charges will be billable quarterly in advance. The District reserves the right to render bills monthly if it so desires. Where bills are payable in advance, water used in each quarter in excess of that allowed under the payment of the minimum meter charge will be payable in arrears. Bills are net and due either monthly or quarterly upon presentation, or as otherwise specified by the District.

**PUBLIC FIRE PROTECTION**

**Available:**

Hydrants are available to the Town of Baileyville for Municipal Fire Protection.

**Rate:**

The rate for existing hydrants as installed in the system as of January 1, 2020, shall have a charge of:

Annual Amount	<b><u>\$168,421</u></b>
Quarterly Amount	<b><u>\$42,105.25</u></b>

Rates for the hydrants installed after January 1, 2019, shall be determined in accordance with the Public Utilities Commission Rules and Regulations - Chapter 69.

All public fire hydrants now existing or to be installed will be cared for and maintained in good working order (unavoidable accidents accepted) by the District. Once any fire hydrant is actually installed and in operation, the total annual fire protection service charge then in effect will not be reduced should the municipality served order one or more hydrants discontinued.

**Terms of Payment:**

Charges under these rates are net and will be billable quarterly in advance, at the option of the District. All bills shall be due and payable on presentation.

Effective Date: January 1, 2020

Docket Number: 2018-00288

Ronald Wallace, Chairman

**PRIVATE FIRE PROTECTION**

**Available:**

To customers using the District's service for private fire protection - the following rates apply to all private automatic sprinkler and private fire services.

**Rates:**

Each private hydrant furnished, installed and maintained by the user for private fire protection:

Private Hydrants      Each Hydrant      \$1,095.00 per year

The annual charge, per inch of service pipe diameter, for private fire service for automatic sprinklers, standpipes, or hose connections to be used only for fire protection inside of buildings is as follows:

**Private Automatic Sprinkler Systems**  
For Each Inch in Diameter of the Service Pipe      \$183.00 per year

**Terms of Payment:**

The above rates are net, billed quarterly in advance, and are payable on presentation.

## J. Fluoridation

1. **Authorization:** In those municipalities which have authorized the addition or discontinuation of fluoride to their water supply pursuant to 22 M.R.S. §2653, the municipal clerk shall inform the water system in writing of the municipality's authorization, within 10 days of the final tabulation by the Secretary of State, pursuant to 22 M.R.S. §2656(3). The water system shall inform the Department in writing within 7 days of the water system receiving such notice from the municipal clerk.
2. **Optimum Level:** The target level of fluoride for dental benefit is 0.7 milligrams per liter (mg/l) in drinking water in Maine.
3. **Recommended Control Range:** The recommended control range is 0.5 to 1.2 mg/l (parts per million) of the optimum level. The recommended control range helps maintain optimal fluoridation.
4. **Monitoring:** All public water systems that fluoridate must monitor and report the daily fluoride concentration at each application on days in which fluoride is added. The measurement at the fluoride application point should be performed by an accepted analytical method. Theoretical calculations have value as a quality control measure and can be substituted in the event of analytical method malfunction, not to exceed 10 days in a month.
5. **Daily Analytical Measurement:** Public water systems that measure for a daily analytical shall continuously monitor for fluoride ion concentration at each fluoride application point, unless the conditions of Section 4(J)(5)(b) are met. Automated continuous monitoring shall include or meet the following:
  - a. Continuous monitors may adapt a specified fluoride testing methodology, provided the chemistry, precision and accuracy are equal to or greater than the original testing methodology. See Section 7(C)(3) for testing methodology requirements. Calibration shall be according to manufacturer's recommendations.
  - b. Instrumentation providing for notification of water operator if fluoride concentration is outside of optimum range.
  - c. Instrumentation providing for notification of water operator if there is a failure of the continuous monitoring.
  - d. In lieu of continuous monitoring, a representative daily grab sample(s) may be collected from each fluoridation application point and analyzed daily for fluoride ion concentration.

- e. If the result of a fluoride analysis is outside the optimum range, the sampling and measurement shall be confirmed by re-sampling as soon as practicable.
    - i. If the repeat sample is greater than 2.0 mg/l, the operator shall take appropriate action to correct the problem and inform the Department within 72 hours.
    - ii. If the repeat sample is less than 0.5 mg/l, then the operator shall correct the problem and provide a note on the Monthly Operating Report, describing the problem and the corrective action.
6. Daily Analytical Samples: If the daily analytical measurements or substituted theoreticals are outside the optimum range (0.5 to 1.2 mg/l) for more than 10 days during the month, then the public water system shall notify the Department of the intended course of action, including technical assistance or increased monitoring to address quality assurance.
- a. In addition to the daily monitoring requirements, a monthly compliance sample of fluoridated water from the distribution system shall be submitted at least once each month to a laboratory certified to analyze fluoride. The Department may require additional testing, based on sample results and compliance history.
  - b. If two consecutive monthly compliance samples are outside the optimum range of 0.5 to 1.2 mg/l, then the public water system shall report 4 weekly additional samples that are within the range of 0.5 to 1.2 mg/l.
7. Temporary Suspension of Fluoride: If a public water system suspends the addition of fluoride for more than 30 consecutive days, then the public water system must provide public notification as soon as practicable, or within 30 days, whichever is sooner, with appropriate public notification language. Modifications to the following text must be approved by the Drinking Water Program.
- PUBLIC NOTIFICATION  
TEMPORARY FLUORIDATION SUSPENSION
- Dear User, The fluoridation adjustment in your community drinking water will be (or has been) temporarily suspended due to: (     ).  
Fluoridation is scheduled to be restored by the following date: (     ).
8. Compliance Sample Results: Based upon the analytical results from a certified laboratory, the following will be used to determine the necessary enforcement action.



Fluoride Level	Action
< 0.5 or > 1.2 mg/l for 1 month	Call to Department for quality assurance.
< 0.5 or > 1.2 mg/l for 2 consecutive months.	Test weekly for 4 weeks and Post Public Notice in Consumer Confidence Report
> 2.0 mg/l and ≤4.0 mg/l	Post Public Notice in Consumer Confidence Report
> 4.0 mg/l	Tier 2 Violation: Post Public Notice within 30 Days

9. Use of Consumer Confidence Report /Public Notification Language: Failure to Monitor: If a public water system fails to collect any compliance sample(s), the public water system must provide public notification of the failure to monitor or report in the annual Consumer Confidence Report.
- a. The following statement must be included in the public water system's annual Consumer Confidence Report:
- i. Fluoride Monitoring/Reporting Violations: The public water system must state the following: "In (identify reporting period), our water system failed to test and report monthly fluoride results to the State of Maine Drinking Water Program. Fluoride levels must be maintained between 0.5 to 1.2 mg/l, for those water systems that fluoridate the water. Since this violation, fluoride testing and monthly reporting have resumed on schedule.
  - ii. Fluoride Compliance Samples Outside Optimum Range of 0.5 – 1.2 mg/l for 2 Consecutive Months: The public water system must state the following: "During (identify months out of range), our water system failed to report fluoride levels within the optimum range of 0.5 to 1.2 mg/l."
- b. Water systems that have temporarily taken their fluoridation off-line due to malfunctions or maintenance are not required to collect a compliance sample while fluoridation equipment is off-line.

#### K. Bottled Water

Public water systems which bottle water for consumption shall comply with this section and any other relevant section of these Rules.

##### 1. Ongoing Water Quality Monitoring/Reporting for Bottled Water Facilities

- a. General Requirements. All plants producing bottled water must be responsible for sampling and testing for all physical, chemical, microbiological and radiological parameters specified in Appendix A of