

CHAPTER 2 CUSTOMER RIGHTS AND OBLIGATIONS

201.0 Residential Customers

- 201.1 The Authority* will accept Owners, Tenants, and Occupants of Dwelling Units as Authority Customers and will provide water and sewer service in their names to their Dwelling Units under the terms and conditions set forth in these Rules and Regulations.
- 201.2 The Authority may accept applications for water service outside the City where the applicant's property is served by or can be practicably served by an Authority Water Main.

202.0 Application to become a Residential Customer — Owners

- 202.1 Subject to the requirements set forth in sections 202.2 and 206 of these Rules and Regulations, an Owner of a Dwelling Unit will become a Customer as of the date of title transfer established by the record deed or otherwise established by sufficient evidence to show title to the property.
- 202.2 The Authority may require, as a condition of furnishing service to an Owner, the payment of any outstanding residential account that accrued within the prior 4 years for which the applicant is legally responsible and for which the applicant was properly billed.
- .1 The Authority will not require payment by the applicant of an outstanding residential account for which the applicant was not legally responsible, but the Authority may lien the delinquent balance.

203.0 Application to become a Residential Customer -- Tenants and other non-owner Occupants

- 203.1 Prospective Tenants and other Occupants are encouraged to contact the Authority prior to signing a lease to determine whether there is an existing, delinquent account for the Dwelling Unit.
- 203.2 The Authority may require, as a condition to furnishing residential service to a Tenant or Occupant:
- .1 payment by the Owner or its agent of any delinquent balance for the Dwelling Unit for which the Owner was properly billed;
- .2 payment by the applicant of any outstanding residential account that accrued within the prior 4 years for which the applicant is legally responsible and for which the applicant was properly billed.
- 203.3 Except as provided in section 211.0 applicable to USTRA-Tenant rights, a Tenant or Occupant of a Dwelling Unit who wishes to become a Customer of the Authority must submit:
- .1 satisfactory evidence of the Owner's consent to possession of the Dwelling Unit, which may be a current rental agreement, rent book, receipts, cancelled checks, other utility bills in the Tenant's or Occupant's name at that address, or other written evidence of the Owner's consent to occupancy; and
- .2 at least one piece of personal identification. If the personal identification does not bear the applicant's photograph, a second piece of personal identification may be required.

* Words with initial capital letters are defined in section 102.0 of these Rules and Regulations.

204.0 Qualifications of applicants

- 204.1 An Owner, Tenant or Occupant of a Residential Property is qualified to become a water and/or sewer Customer unless any one or more of the following circumstances exist.
- .1 The applicant is the agent of a current or previous delinquent Customer at the Dwelling Unit and is attempting on the delinquent Customer's behalf to avoid shut-off or restore service previously shut off without payment of said Customer's past due charges for water and/or sewer service or any other miscellaneous charges related to water and/or sewer service that are due. Such agency will normally be found to exist where the property that would be receiving the service is or will be occupied by the delinquent Customer or where such Customer would otherwise use or benefit from the service.
 - .2 The applicant has not paid or arranged to pay for past due charges for water and/or sewer service for which the applicant is legally responsible at this or another service address, including charges for unauthorized usage of Authority water.
 - .3 Water service to the Dwelling Unit is legally off and there exist uncorrected violations of the Health Department Plumbing Code at the Residential Property or service to the property would endanger health or safety.
 - .4 Service to a Tenant or Occupant cannot be accomplished without major revision of the Authority's distribution facilities or acquisition of additional rights-of-way.
 - .5 The Tenant or Occupant is a Customer currently receiving service at another residential service address.
- 204.2 If the Residential Property is separately metered, a Meter reading must be taken before the applicant will be accepted as a Customer.
- 204.3 If the Residential Property is set up for individual metering, but no operational Meter is in place, a Meter must be installed before the applicant will be accepted as a Residential Customer.
- 204.4 If the Residential Property is not separately metered or set up for separate metering, the Residential Property must be set up for separate metering, to the Authority's satisfaction, by a Registered Plumber at the cost of the Residential Property Owner or the Residential Tenant, and a Meter and Remote Reading Device must be installed before the applicant will be accepted as a Residential Customer. Installation charges must be paid before water service will be provided.

205.0 Authority's action on the application

- 205.1 Upon receipt of the evidence and documents required by sections 202 or 203 of these Rules and Regulations, the Authority shall determine whether the applicant is a qualifying Owner, Occupant, Tenant, or USTRA-Tenant and whether the applicant is eligible to become an Authority Customer.
- 205.2 If the applicant is rejected as a Customer, the Authority shall so inform the applicant, and shall inform the applicant of any condition that must be met and any charges that must be paid in order to obtain service. A description of the process by which the applicant may dispute the Authority's determination will be provided.

206.0 Security deposits, new and existing Customers

- 206.1 The Authority may require a deposit or a guarantee of payment as a condition to providing service to an applicant:
- .1 when the applicant has an existing, unpaid balance with the Authority;
 - .2 when service to the applicant's residence has been terminated because of unpaid bills;
 - .3 when the applicant has failed to make payments according to a payment schedule; or
 - .4 when the applicant is unable to provide information demonstrating that he or she is a satisfactory credit risk. The Authority may request and consider information including, but not limited to, the name of the applicant's employer, the length of employment, residences during the past five (5) years, credit cards, and any significant source of income other than from employment.
- 206.2 Where security is required as a condition of service, the Authority will accept a written guarantee from a responsible ratepayer or other Person able to establish proof of good credit, securing payment in an amount equal to that required for a cash deposit.
- 206.3 The amount of the deposit shall be equal to an amount 2 times the average estimated monthly bill for the Dwelling Unit, based on the last twelve months of service. The deposit shall be in the form of a cashier's check, money order, debit card payment, or credit card payment.
- 206.4 The Authority may require an existing ratepayer to post a deposit or guarantee of payment to re-establish credit when the Customer has been delinquent in the payment of any two consecutive bills or three or more bills in the preceding 12 months. The Authority will provide written notice to the Customer of its intent to require a deposit or guarantee of payment, should bills continue to be paid after the due date.
- 206.5 The Authority will require a deposit or guarantee of payment as a condition to reconnection of service following a termination.
- 206.6 The Authority will require a deposit or guarantee of payment, whether or not service has been terminated, when a Customer fails to comply with a material term or condition of a settlement or payment agreement.
- 206.7 A deposit will be refunded under the following conditions:
- .1 Upon termination or discontinuance of service, the Authority will apply the deposit, including accrued interest, to any outstanding balance and will refund any remainder to the Customer.
 - .2 When a Customer establishes creditworthiness.
 - .3 When a Customer substitutes a third-party guarantor under section 206.2.
 - .4 After a Customer has made full and timely payment of bills for service for 12 consecutive months.
- 206.8 Under the conditions set forth in sections 206.7.2, 206.7.3 and 206.7.4, the Customer may elect to have a deposit applied to reduce bills for service or to receive a refund.

207.0 Turn-on of service

- 207.1 The Authority will visit the property to turn on service for a new Customer at no charge to the applicant where service can be provided to a single Dwelling Unit by operation of the Curb Stop.
- 207.2 Where service can only be provided by means other than the operation of the Curb Stop, such as construction or restoration of the Water Service Line, such construction or restoration must be made privately at the expense of the applicant or Owner.
- 207.3 Notwithstanding any other provision of these Rules and Regulations, where service has been shut off by the Authority for any reason under these Rules and Regulations, and the Authority has been notified that the Health Department has determined the Premises to be in dangerous or imminently dangerous condition, service will be provided only upon the prior written consent of the Health Department.

208.0 Termination of Customer relationship

- 208.1 After acceptance by the Authority of an application, Tenants and Occupants who are Customers will remain responsible for paying all future charges for water/sewer service to their Dwelling Units until such time as there is:
- .1 Notice of Intent to Disconnect Service pursuant to written request being received from the Customer to terminate Customer status and shut off service (for which there is a charge);
 - .2 acceptance of a new Customer for the Dwelling Unit by the Authority and the taking of a final Meter reading; or
 - .3 discontinuance of service to a vacant Dwelling Unit at the Owner's request.
- 208.2 The Authority will notify Tenants and Occupants who are Customers of termination of their status as Customers in writing by first class mail. Provided, however, that where a Customer requests the termination of his Customer status, service to his or her vacant Dwelling Unit may be thereafter shut off without prior notice.
- 208.3 Owners, whether or not they are Customers, remain responsible for paying water/sewer charges until the delivery of a completed Application for Final Bill.
- .1 Customers selling property served by the Authority should request a final bill 5 to 7 days prior to the scheduled closing date.

209.0 Termination of service

- 209.1 Nothing in these Rules and Regulations shall modify the Authority's right to terminate water service without prior notice to prevent or alleviate an emergency or other circumstance that presents a danger to life or property.
- 209.2 The Authority will initiate collection of delinquent Residential Customer accounts and, after appropriate notice has been given, termination of water service, when the account balance remains unpaid 40 days following appropriate delivery of the Authority's invoice.

- 209.3 The Authority may terminate service when, for two or more consecutive billing periods, the Residential Customer has denied access to the Meter or Remote Reading Device for reading, repair, or replacement.
- .1 To avoid shut off on this basis, the Customer, within 10 days of the date of the notice of termination sent by the Authority, must make an appointment for a reading or access to the Remote Reading Device or Meter.
- 209.4 The Authority may terminate service:
- .1 when a Meter, Remote Reading Device, or other Authority property has been tampered with or damaged, or is missing;
 - .2 when Authority water is used in any fixture or for any purpose when there is no water contract on file with the Authority, or any unauthorized connection exists to the Water Main;
 - .3 when a Residential Customer has made false or fraudulent statements in applying for water service; or
 - .4 when a Person permits water to flow unnecessarily or to leak excessively from any pipe, fixture, or appliance upon property that the Person owns or occupies.
- 209.5 Whenever two or more Residential or Combined Use Properties have been supplied from a single connection or Ferrule, and one or more of the Owners or Occupants of the Premises becomes delinquent in the payment of water and/or sewer charges or permits water to flow unnecessarily or leak from any pipe, fixture, or appliance, the Authority may terminate the supply of water to all of the commonly supplied Premises. Supply will not be renewed until:
- .1 a separate connection is established for each Premises;
 - .2 any delinquent water and/or sewer charges are paid; and
 - .3 any leakage is corrected or unnecessary flow of water is stopped.
- 209.6 Notice of termination shall be in the form required by section 210 of these Rules and Regulations and shall be provided as follows:
- .1 to Customers who are Owners, Tenants, or Occupants, by mail at least 10 days prior to the scheduled shut off;
 - .2 to Customers who are landlords, by certified mail, personal service, or as otherwise permitted by law, at least 37 days prior to the scheduled shut off;
 - .3 to USTRA-Tenants, by mail and by posting a notice of termination on the Premises at least 30 days prior to the scheduled shut off;
 - .4 to Customers who permit water to flow unnecessarily, as provided under section 209.4.4, upon 24 hours' notice or, if the resulting condition threatens injury to persons or damage to property, immediately; and
 5. by telephone call to the telephone number on file with the Authority; by electronic mail to an e-mail address on file with the Authority; or, if neither of these methods is available or effective, by personal contact or posting a notice of termination on the Premises 48 hours before termination of service.

- 209.7 If, when notice of termination is received, an occupant of the Residential Property is seriously ill, the Authority will defer termination for a maximum of 30 days if a licensed physician or nurse practitioner contacts the Authority by facsimile or mail to explain how the termination of service will aggravate the medical condition. The physician's statement should include the name and address of the afflicted individual and his or her relationship to the Customer. A medical deferral may be renewed once, by the submission of another statement from the treating physician, for a maximum of 30 days. The Customer remains responsible for the outstanding balance during the postponement and may avoid termination by making a reasonable payment arrangement.
- 209.8 Water service will not be terminated on a Friday, Saturday, Sunday, or the day before a holiday.
- 209.9 When it initiates collection or termination activity, the Authority will impose a collection/termination activity fee on the account. The collection/termination activity fee will be in addition to the delinquent charges.

210.0 Notice of termination

- 210.1 Notice of termination to a Residential Customer shall contain the following information, in such form as the Authority shall from time to time deem appropriate:
- .1 account number;
 - .2 date of notice;
 - .3 address of property;
 - .4 where services is being terminated for failure to timely pay for water and/or sewer services, the amount past due;
 - .5 where service is being terminated for failure to provide access to a Meter or Remote Reading Device, the time within which access must be attained;
 - .6 date on which water service will be shut off;
 - .7 a telephone number and e-mail address to contact for further information or explanation;
 - .8 a statement that to avoid termination, the Customer must—
 - .1 pay the entire balance, including interest, before the scheduled termination date;
 - .2 negotiate or renegotiate a payment arrangement; or
 - .3 prior to the scheduled termination date, request a hearing, in person or in writing, if a dispute exists as to the Customer's responsibility for the bill, the amount due or other possible errors in the bill, or if the Customer believes that grounds exist for exoneration of all or part of the bill; and
 - .9 a statement that specifies that the notice is effective for 90 days.
- 210.2 Notice of termination to the Customer Owner, where the Residential Property is occupied by a Tenant who is not a Customer, shall include the same information required by Section 210.1 of these Rules and Regulations, and the following information in such form as the Authority shall deem appropriate:

- .1 the obligation of the Owner, within 7 days of receipt of the notice, to provide the Authority with names and addresses of every Tenant and/or Occupant;
- .2 the Owner's ability to avoid the obligation to provide the names and addresses of Tenants and Occupants by paying the bill in full, entering into an agreement to pay the amount due, or request a hearing;
- .3 should the Owner fail, within 10 days of receipt of the notice, to pay the bill, enter into a satisfactory payment agreement, or request a hearing, the Authority will attempt to notify each Tenant and Occupant of the date of the scheduled termination and their rights; and
- .4 in addition to termination of water service, the Authority may sue the Owner in court for nonpayment and lien the Residential Property.

210.3 A termination notice to Tenants who are not Customers shall include the following information, in such form as the Authority may deem appropriate:

- .1 account number;
- .2 date of notice;
- .3 address of the property;
- .4 amount past due;
- .5 amount due for water and/or sewer service for thirty (30) days preceding the date of the notice;
- .6 reason for termination;
- .7 date of scheduled termination; and
- .8 the right of USTRA-Tenants to pay the amount due for the preceding 30 days, and to receive bills for subsequent periods of 30 days, so long as the landlord has not paid or arranged for payment of the delinquency.

211.0 USTRA-Tenant rights

211.1 A USTRA-Tenant may apply to the Authority for continued service at any time, unless:

- .1 The Tenant is the agent of a current or previous delinquent Customer at the Dwelling Unit and is attempting on the Customer's behalf to avoid shut off or restore service previously shut off without payment of the Customer's past due charges for water/sewer service. Such agency may be found to exist where the property that would be receiving service under a Tenant Customer arrangement is or will be occupied by the current or previous delinquent Customer or where such delinquent Customer would otherwise use or receive the benefit of the service; or
- .2 The Tenant has not paid or arranged to pay delinquent charges for water/sewer service arising out of illegal, unauthorized, or authorized usage for which he or she is responsible, whether at the same or another service address.

211.2 An individual who wishes continued service as a USTRA-Tenant must submit:

- .1 His or her name and current address;
- .2 At least one piece of personal identification. If the personal identification does not bear the applicant's photograph, a second piece of personal identification may be required.
- .3 Satisfactory written evidence of the tenancy, such as a lease, rent book, money order receipts, cancelled checks, or other utility bills in the applicant's name at that address, or rent receipts; and
- .4 Satisfactory evidence that the property had water/sewer service when the tenancy began.

212.0 Restoration of water service

212.1 When water service is terminated to a Residential Property due to a delinquent account, service will be restored when one of the following conditions has been met:

- .1 the outstanding account balance, collection/termination activity fee, and appropriate restoration charges have been paid in full by cashier's check, money order, or other immediately available funds;
- .2 the Residential Customer enters into a payment agreement and provides the deposit or guarantee required by section 206 of these Rules and Regulations; or
- .3 the delinquency is eliminated or resolved following the hearing as contemplated by section 324 of these Rules and Regulations.

212.2 When water service is terminated due to the failure to provide access to a Meter or Remote Reading Device, service will be restored when the Residential Customer permits access and pays applicable restoration charges.

230.0 Business Customers

- 230.1 The Authority will accept Business Use Property Owners, their duly authorized agents or Guaranteed Lessees as Authority Customers and will provide water and sewer service in their names to their Business Use Properties under the terms and conditions set forth in these Rules and Regulations.
- 230.2 The Authority may accept applications for water service outside the City where the applicant's property is served by or can be practicably served by an Authority Water Main.

231.0 Application to become a Business Customer – Owners

- 231.1 Subject to the requirements set forth in sections 233 and 235 of these Rules and Regulations, a Business Use Property Owner will become a Business Customer as of the date of title transfer established by the record deed or otherwise established by sufficient evidence to show title to the property.

232.0 Application to become a Business Customer — Tenants

- 232.1 A Tenant of a Business Use Property who wishes to become a Business Customer of the Authority may apply to become a Guaranteed Lessee. A Tenant applying for water and/or sewer service must submit:
- .1 information on names of principals, a current business address, and a current business license;
 - .2 satisfactory evidence of the Owner's consent to possession of the Business Use Property by the Tenant, generally a copy of the lease agreement or other written evidence of the Owner's consent;
 - .3 a written guarantee from the Business Use Property Owner assuring payment of any water and/or sewer charges billed to the Tenant; and
 - .4 where violations of the Health Department Plumbing Code are known to have existed, certification by a Registered Plumber that necessary corrections have been made and that the Business Use Property is compliant with the Plumbing Code.

233.0 Qualifications of applicants

- 233.1 A Business Use Property Owner or Tenant (either shall be known as "applicant") is qualified to become a Business Customer under these Rules and Regulations unless:
- .1 The applicant has not paid or arranged to pay for past due charges for water and/or sewer service for which he is legally responsible at this or another service address, including charges for unauthorized use of water;
 - .2 The Guarantor Lessor has not paid outstanding water and/or sewer charges at the time of application;
 - .3 Water service to the Business Use Property is legally off, there exist uncorrected violations of the Health Department Plumbing Code at the property, and/or service to the property would endanger health or safety; or

- .4 Service to the Business Use Property necessitates revision of the Authority's distribution facilities or acquisition of additional rights-of-way or the quantity of water required or the pattern of expected usage will in the Authority's reasonable judgment negatively affect existing Customers or does not comply with existing Rules and Regulations governing water and/or sewer service.

233.2 If the Business Use Property is separately metered, a Meter reading must be taken before the applicant will be accepted as a Customer.

233.3 If the Business Use Property is set up for individual metering, but no operational Meter is in place, a Meter must be installed before the applicant will be accepted as a Business Customer.

233.4 If the Business Use Property is not separately metered or set up for individual metering, the Business Use Property must be set up for individual metering by a Registered Plumber to the Authority's satisfaction, at the cost of the Business Use Property Owner or the Tenant, and a Meter and Remote Reading Device must be installed before the applicant will be accepted as a Business Customer. Installation charges must be paid before water service will be provided.

234.0 Authority's action on the application

234.1 Upon receipt of the evidence and documents required by sections 232 or 233 of these Rules and Regulations, the Authority shall determine whether the applicant is eligible to become an Authority Customer.

234.2 If the applicant is rejected as a Customer, the Authority shall so indicate and will note any condition that must be met and itemize any charges that must be paid in order to obtain service. A description of the process by which the applicant may dispute the Authority's determination will be provided.

235.0 Security deposits, new and existing Customers

235.1 The Authority may require a deposit or a guarantee of payment as a condition to providing service to an applicant:

- .1 when the applicant has an existing, unpaid balance with the Authority;
- .2 when service to the applicant's Business Use Property has been terminated because of unpaid bills;
- .3 when the applicant has failed to make payments according to a payment schedule; or
- .4 when the applicant is unable to provide information demonstrating that the applicant is a satisfactory credit risk.

235.2 Where security is required as a condition of service, the Authority will accept a written guarantee from a responsible Customer or other Person able to establish proof of good credit, securing payment in an amount equal to that required for a cash deposit.

235.3 The amount of the deposit shall be equal to an amount 2 times the average estimated monthly bill for the Business Use Property, based on the last twelve months of service. The deposit shall be in the form of a cashier's check, money order, debit card payment, or credit card payment.

- 235.4 The Authority may require an existing Customer to post a deposit or guarantee of payment to re-establish credit when the Customer has been delinquent in the payment of any two consecutive bills or three or more bills in the preceding 12 months. The Authority will provide written notice to the Customer of its intent to require a deposit or guarantee of payment, should bills continue to be paid after the due date.
- 235.5 The Authority will require a deposit or guarantee of payment as a condition to reconnection of service following a termination.
- 235.6 The Authority will require a deposit or guarantee of payment, whether or not service has been terminated, when a Customer fails to comply with a material term or condition of a settlement or payment agreement.
- 235.7 A deposit will be refunded under the following conditions:
- .1 Upon termination or discontinuance of service, the Authority will apply the deposit, including accrued interest, to any outstanding balance and will refund the remainder to the Customer.
 - .2 When a Customer establishes creditworthiness.
 - .3 When a Customer substitutes a third-party guarantor under section 235.2.
 - .4 After a Customer has made full and timely payment of bills for service for 12 consecutive months.
- 235.8 Under the conditions set forth in sections 235.7.2, 235.7.3 and 235.7.4, the Customer may elect to have a deposit applied to reduce bills for service or to receive a refund.

236.0 Turn-on of service

- 236.1 The Authority will visit the Business Use Property to turn on service for a new Business Customer at no charge to the applicant where service can be provided to a single Business Use Property by operation of the Curb Stop.
- 236.2 Where service can only be provided by means other than the operation of the Curb Stop, such as construction or restoration of the Ferrule or Water Service Line, such construction or restoration must be made privately at the expense of the applicant or Owner.
- 236.3 Notwithstanding any other provision of these Rules and Regulations, where service has been shut off by the Authority for any reason under these Rules and Regulations, and the Authority has been notified that the Health Department has determined the Premises to be in dangerous or imminently dangerous condition, service will be provided only upon the prior written consent of the Health Department.

237.0 Termination of Customer relationship

- 237.1 After the Authority's acceptance of an application, a Business Customer will remain responsible for paying all future charges for water and/or sewer service to its Business Use Property until such time as:
- .1 the Authority accepts a new Business Customer for the Business Use Property and takes a final Meter reading; or

.2 the Authority issues a Notice of Intent to Disconnect and terminates service at the Business Use Property Owner's request.

237.2 Business Use Property Owners remain responsible for paying water and/or sewer charges until the issuance of a Notice of Intent to Disconnect or replacement by a new Business Customer.

237.3 A Guarantor Lessor seeking to terminate its Customer relationship with the Authority must notify its Guarantee Lessee or Lessees in writing by first class mail.

238.0 Termination of service

238.1 Nothing in this section shall modify the Authority's right to terminate service without prior notice to prevent or alleviate an emergency that presents a danger to life or property.

238.2 The Authority will initiate collection activity and the termination of water service to a Business Use Property, after appropriate notice has been given:

.1 when the business account remains unpaid 40 days following appropriate delivery of the Authority's invoice;

.2 when for two or more consecutive billing periods, the Authority has been denied access or prevented from accessing the Business Use Property to read, repair, or replace the Meter or Remote Reading Device;

.1 If access cannot reasonably be scheduled prior to the termination of service, then the termination date may be deferred to permit access; provided, however, that a Business Customer cannot defer termination for more than 30 calendar days on this basis.

.3 when the Business Use Property Owner fails to have an approved Backflow prevention device installed and to provide the Authority with certification of its installation and operation within 45 days of notice from the Authority of that requirement, as provided in section 511.1 of these Rules and Regulations;

.4 when the Business Use Property Owner fails to return the appropriately completed Backflow prevention device test report within 45 days of its receipt, as provided in section 511.2 of these Rules and Regulations; or

.5 when a Person permits water to flow unnecessarily or to leak excessively from any pipe, fixture, or appliance upon property that the Person owns or occupies.

238.3 Whenever two or more Business Use or Combined Use Properties have been supplied from a single connection or Ferrule, and one or more of the Owners, Tenants, or Occupants of the Premises becomes delinquent in the payment of water and/or sewer charges or permits water to flow unnecessarily or leak from any pipe, fixture, or appliance, the Authority may terminate the supply of water to all of the commonly supplied Premises. Supply will not be renewed until:

.1 a separate connection is established for each Premises;

.2 any delinquent water and/or sewer charges are paid;

.3 any leakage is corrected or unnecessary flow of water is stopped.

238.4 Except as provided in section 238.2.5, relating to termination for unnecessary or excessive flow of water, notice of termination shall be provided to the Business Customer and any Guarantor Lessor by mail at least 10 days prior to the scheduled termination, and shall contain the following information in such form as the Authority shall from time to time deem appropriate:

- .1 account number;
- .2 date of notice;
- .3 address of property;
- .4 where service is terminated for failure to timely pay for water and/or sewer services, the amount past due;
- .5 where service is terminated for failure to provide access to a Meter or Remote Reading Device, the time within which access must be attained;
- .6 date on which water service will be terminated;
- .7 action that must be taken to avoid termination, as set forth in section 238.6 below;
- .8 notice that a timely submission to the Exoneration Hearing Board will prevent shutoff until a final decision is made, together with information on how a hearing may be requested; and
- .9 a telephone number to call or e-mail address to contact for further information or explanation.

238.5 Notice of termination to a Business Customer, and any Guarantor Lessor, who permits water to flow unnecessarily, as provided under section 238.2.5, by telephone, electronic mail, or in person, 24 hours' prior to termination or, if the condition threatens injury to persons or damage to property, immediately before termination.

238.6 To avoid termination of water service for failure to make timely payment, a Business Customer whose account is delinquent or the Guarantor Lessor must, before the scheduled termination date:

- .1 pay the entire balance, including interest;
- .2 negotiate a payment agreement; or
- .3 request a hearing.

238.7 To avoid termination under section 238.2.2 for lack of access to the Meter or Remote Reading Device, the Business Customer, within 10 days of receipt of the notice of termination and before the scheduled termination date, must make arrangements for the Authority's access to the Meter or Remote Reading Device. If access cannot reasonably be scheduled prior to the termination of service, then the termination date may be deferred to permit access; provided, however, that a Business Customer cannot defer termination for more than 30 calendar days on this basis.

- 238.8 To avoid termination under section 238.2.3 for failure to have an approved Backflow prevention device installed and to deliver certification of its installation and operation, the Business Customer, within 10 days of receipt of the notice of termination and before the scheduled termination date, must have the device installed and deliver the appropriately completed report to the Authority. If installation and testing cannot reasonably be performed prior to the termination of service, then the termination date may be deferred to permit installation and testing; provided, however, that a Business Customer cannot defer termination for more than 30 calendar days on this basis.
- 238.9 To avoid termination under section 238.2.4 for failure to return the appropriately completed Backflow prevention device test report, the Business Customer, within 10 days of receipt of the notice of termination and before the scheduled termination date, must have the test performed and deliver the appropriately completed report to the Authority. If testing cannot reasonably be performed prior to the termination of service, then the termination date may be deferred to permit testing; provided, however, that a Business Customer cannot defer termination for more than 30 calendar days on this basis.
- 238.10 To avoid termination under section 238.2.5 for unnecessary flow or excessive leaking of water, the Business Customer, promptly upon receipt of the notice of termination and before the scheduled termination date, must have repairs made to eliminate the excessive flow or leakage. The Authority will work with the Business Customer in good faith to maintain water service, consistent with preventing unnecessary waste of water and any threat of personal injury or property damage.
- 238.11 Provided that no action to avoid or delay service termination has been taken as provided in these Rules and Regulations, the Authority or its agents will visit the Business Use Property on or after the scheduled date to terminate service.
- 238.12 Upon initiating collection activity, the Authority will impose a collection activity fee. This collection activity fee will be in addition to the delinquent charges.

239.0 Restoration of water service

- 239.1 When water service is terminated due to a delinquent account, service will be restored when one of the following conditions has been met:
- .1 the outstanding account balance, collection/termination activity fee, and appropriate restoration charges have been paid in full by cashier's check, money order, or other immediately available funds;
 - .2 the Business Customer enters into a payment agreement and provides the deposit or guarantee required by section 235 of these Rules and Regulations; or
 - .3 the delinquency is eliminated or resolved following a hearing as contemplated by section 324 of these Rules and Regulations.
- 239.2 When water service is terminated due to the failure to provide access to a Meter or Remote Reading Device, service will be restored when the Business Customer permits access and pays applicable restoration charges.