

NOVA SCOTIA UTILITY AND REVIEW BOARD

AM

IN THE MATTER OF THE PUBLIC UTILITIES ACT

- and -

IN THE MATTER OF AN APPLICATION of the **MUNICIPALITY OF THE DISTRICT OF EAST HANTS**, on behalf of its **WATER UTILITY**, for Approval of Amendments to its Schedule of Rates and Charges for Water and Water Services and amendments to its Schedule of Rules and Regulations

ORDER

BEFORE: Richard J. Melanson, LL.B., Member

WHEREAS the Municipality of the District of East Hants, on behalf of its Water Utility ("Utility"), made an Application to the Nova Scotia Utility and Review Board ("Board") for approval of amendments to its Schedule of Rates and Charges for Water and Water Services and amendments to its Schedule of Rules and Regulations;

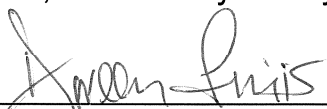
AND WHEREAS after due public notice a hearing was held on the 7th day of March, 2017, and the Board issued its Decision on the 12th day of May, 2017;

IT IS HEREBY ORDERED that the Schedule of Rates and Charges, as amended and attached hereto as Schedules "A", "B", and "C" be approved, for water and water services supplied on and after July 1, 2017, April 1, 2018, and April 1, 2019, respectively;

AND IT IS FURTHER ORDERED that the Schedule of Rules and Regulations, as amended and attached hereto as Schedule "D", is approved effective July 1, 2017;

AND IT IS FURTHER ORDERED that the capital expenditures the Board received from the Utility by separate correspondence, with respect to the Enfield Water Transmission Main (Matter No. M07899), Lantz Water Transmission Main (Matter No. M07900) and the Meter Replacement/Upgrade Project (Matter No. M07952), are approved.

DATED at Halifax, Nova Scotia, this 12th day of May, 2017.



Clerk of the Board

RM

SCHEDULE "A"
EAST HANTS WATER UTILITY
Schedule of Rates and Charges For Water and Water Services
(Effective for water supplied on and after July 1, 2017)

The rates set out below are the rates approved by the Board for water and water services when payment is made within twenty (20) days from the date rendered as shown on the bill.

An interest rate of 1% per month will be charged to all outstanding accounts at the end of each calendar month.

Each bill shall show the amount payable within twenty (20) days from the date rendered as shown on the bill.

In this Schedule, the word "Utility" means the East Hants Water Utility

1. METER SERVICES

(a) Base Charges

<u>Size of Meter</u>	<u>Quarterly</u>
5/8 "	\$44.41
3/4"	65.15
1"	106.62
1 1/2"	210.31
2"	334.73
3"	666.53
3" Compound	1,333.06

(b) Consumption Rates

All over 0 gallons \$11.00 per 1,000 gallons or
All over 0 cubic meters \$2.42 per cubic meter

Minimum Bills

The minimum bill for water service shall be the Base Charge.

2. **BULK WATER METER**

\$13.10 per 1,000 gallons or \$2.88 per cubic meter

Bulk water can only be obtained by customers who have a FOB key and an account, on which financial credits have been applied. A refundable deposit of \$25.00 shall be collected by the Utility when a FOB key is provided to a customer. The \$25.00 deposit shall be returned to the customer upon receipt of the FOB key by the Utility, following a verification that the FOB key is in good working order. Lost or stolen FOBs are the responsibility of the customer; failure to return the FOB to the Utility will result in default of the customer's deposit.

3. **PUBLIC FIRE PROTECTION SERVICE**

The Municipality of the District of East Hants shall pay the Regional Water Utility for Public Fire Protection Services the amount of \$510,359.

4. **RATES FOR SPRINKLER SYSTEMS**

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building having a sprinkler service pipe of 6" or less in diameter	\$300.00
Each building serviced by a sprinkler service pipe of 8" or more	\$400.00

The customer shall be responsible for the supply and installation, including all costs, of a sprinkler service pipe from the main in the street to the building, including a proper size control valve so that the service may be shut off if necessary. All materials and procedures shall meet Utility standards. The Utility shall inspect the installation of same. The portion of the service pipe that extends from the main to the street line shall become the property of the Utility, and this portion shall be maintained and eventually replaced by the Utility when necessary.

5. **RATES FOR PRIVATELY OWNED HYDRANTS**

Privately owned hydrants supplied with water from the Utility's system through a connection which is not metered.

Per hydrant per year	\$200.00
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6. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sums as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to any water service or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made for the cost of the meter, after deducting the cost, if any, of repairing the meter and of testing the same and after payment of the base and connection charges and the consumption rates in respect to such installation.

7. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for flushing sewers, drains or any other purpose, excepting those of the Fire Department, the Utility may grant a permit containing such terms and conditions as it considers necessary, including arrangements regarding supervision of the opening and closing of the hydrant and the keeping of a record of the time such hydrant is used. A charge of \$100.00 per permit shall be charged by the Utility plus consumption rate per 1000 gallons as outlined in the rates. The Utility may also recover the cost of staff time during supervision.

8. UNMETERED SERVICE

When circumstances require that a service connection is made without a meter, the minimum charge during the temporary service period shall be the Base Charge prorated according to the length of time the temporary service is required. A charge of \$100 will apply for service connection.

9. CONNECTION / DISCONNECTION/RECONNECTION FEE

The Utility shall charge a \$25.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

The Utility shall charge a \$40.00 fee for the installation of a water meter or the inspection thereof. The fee shall be \$200.00 when a meter is installed, or inspection performed, after normal working hours of the Utility.

If a customer requests a meter replacement, not deemed necessary by the Utility, or if the customer requests a type of meter other than that deemed appropriate by the Utility(i.e. radio read vs regular meter) the customer shall be responsible for the full cost of the meter in addition to the installation fee.

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge has been paid to the Utility. The fee shall be \$50.00 for first-time violations and \$85.00 for successive violations within a period of one year. The fee shall be \$200.00 if done after

normal working hours of the Utility.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility shall charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank, or for payment through a pre-authorized payment plan which has been reversed or dishonored by the bank/financial institution.

11. CHARGE FOR USE OF INVESTIGATOR/COLLECTOR

The Utility may charge a \$25.00 fee for each visit by the Investigator/Collector to a customer whose account is being disputed or whose account is past due if it is determined that the account is correct.

12. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

When an appointment has been made by a customer to have water service hooked up or a meter installed, or the water turned on to a property, or another visit to the property for the inception or maintenance of water service to the property and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utilities staff have to return to the property, there may be a charge of \$40.00 for each visit missed if, in the judgment of the Utility, it is warranted.

13. CHARGE FOR THEFT OF SERVICE

The Utility may charge penalties in addition to applicable water charge for each illegal water connection as follows:

1st offence	\$300.00
2nd offence	\$600.00

14. SPECIAL SERVICE CHARGE

A special service charge of \$50.00 per site visit (\$200.00 if such work is performed after regular working hours) shall be charged to each customer receiving a necessary or requested service such as shutting off or turning on water service or other special service not provided for elsewhere in the schedules or the rules and regulations. In the case where the shutting off is requested because there is no operable shut-off valve serving the dwelling, an isolation valve must be installed at the customer's expense.

Despite subsection 9 where suspension of service is for non-payment only, the fees set out therein respecting connection or disconnection of service during regular working hours do not apply. There will only be one charge of \$50.00 for disconnection & reconnection once per year or in any 12 month period, otherwise, it is \$50.00 per visit.

15. **CHARGE FOR WATER BILL COPIES**

The Utility may charge a fee of \$10.00 for every water bill copy issued outside of the regular billing cycle.

HST will be added to all fees as required by law.

RM

SCHEDULE "B"
EAST HANTS WATER UTILITY
Schedule of Rates and Charges For Water and Water Services
(Effective for water supplied on and after April 1, 2018)

The rates set out below are the rates approved by the Board for water and water services when payment is made within twenty (20) days from the date rendered as shown on the bill.

An interest rate of 1% per month will be charged to all outstanding accounts at the end of each calendar month.

Each bill shall show the amount payable within twenty (20) days from the date rendered as shown on the bill.

In this Schedule, the word "Utility" means the East Hants Water Utility

1. METER SERVICES

(a) Base Charges

<u>Size of Meter</u>	<u>Quarterly</u>
5/8 "	\$45.91
3/4"	67.38
1"	110.32
1 1/2"	217.68
2"	346.51
3"	690.06
3" Compound	1,380.12

(b) Consumption Rates

All over 0 gallons \$12.00 per 1,000 gallons or
All over 0 cubic meters \$2.64 per cubic meter

Minimum Bills

The minimum bill for water service shall be the Base Charge.

2. **BULK WATER METER**

\$13.74 per 1,000 gallons or \$3.02 per cubic meter

Bulk water can only be obtained by customers who have a FOB key and an account, on which financial credits have been applied. A refundable deposit of \$25.00 shall be collected by the Utility when a FOB key is provided to a customer. The \$25.00 deposit shall be returned to the customer upon receipt of the FOB key by the Utility, following a verification that the FOB key is in good working order. Lost or stolen FOBs are the responsibility of the customer; failure to return the FOB to the Utility will result in default of the customer's deposit.

3. **PUBLIC FIRE PROTECTION SERVICE**

The Municipality of the District of East Hants shall pay the Regional Water Utility for Public Fire Protection Services the amount of \$530,474.

4. **RATES FOR SPRINKLER SYSTEMS**

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building having a sprinkler service pipe of 6" or less in diameter	\$300.00
Each building serviced by a sprinkler service pipe of 8" or more	\$400.00

The customer shall be responsible for the supply and installation, including all costs, of a sprinkler service pipe from the main in the street to the building, including a proper size control valve so that the service may be shut off if necessary. All materials and procedures shall meet Utility standards. The Utility shall inspect the installation of same. The portion of the service pipe that extends from the main to the street line shall become the property of the Utility, and this portion shall be maintained and eventually replaced by the Utility when necessary.

5. **RATES FOR PRIVATELY OWNED HYDRANTS**

Privately owned hydrants supplied with water from the Utility's system through a connection which is not metered.

Per hydrant per year	\$200.00
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6. **WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION**

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sums as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to any water service or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made for the cost of the meter, after deducting the cost, if any, of repairing the meter and of testing the same and after payment of the base and connection charges and the consumption rates in respect to such installation.

7. **RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS**

Whenever the use of any fire hydrant is desired for supplying water for flushing sewers, drains or any other purpose, excepting those of the Fire Department, the Utility may grant a permit containing such terms and conditions as it considers necessary, including arrangements regarding supervision of the opening and closing of the hydrant and the keeping of a record of the time such hydrant is used. A charge of \$100.00 per permit shall be charged by the Utility plus consumption rate per 1000 gallons as outlined in the rates. The Utility may also recover the cost of staff time during supervision.

8. **UNMETERED SERVICE**

When circumstances require that a service connection is made without a meter, the minimum charge during the temporary service period shall be the Base Charge prorated according to the length of time the temporary service is required. A charge of \$100 will apply for service connection.

9. **CONNECTION / DISCONNECTION/RECONNECTION FEE**

The Utility shall charge a \$25.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

The Utility shall charge a \$40.00 fee for the installation of a water meter or the inspection thereof. The fee shall be \$200.00 when a meter is installed, or inspection performed, after normal working hours of the Utility.

If a customer requests a meter replacement, not deemed necessary by the Utility, or if the customer requests a type of meter other than that deemed appropriate by the Utility(i.e. radio read vs regular meter) the customer shall be responsible for the full cost of the meter in addition to the installation fee.

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge has been paid to the Utility. The fee shall be \$50.00 for first-time violations and \$85.00 for

successive violations within a period of one year. The fee shall be \$200.00 if done after normal working hours of the Utility.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility shall charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank, or for payment through a pre-authorized payment plan which has been reversed or dishonored by the bank/financial institution.

11. CHARGE FOR USE OF INVESTIGATOR/COLLECTOR

The Utility may charge a \$25.00 fee for each visit by the Investigator/Collector to a customer whose account is being disputed or whose account is past due if it is determined that the account is correct.

12. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

When an appointment has been made by a customer to have water service hooked up or a meter installed, or the water turned on to a property, or another visit to the property for the inception or maintenance of water service to the property and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utilities staff have to return to the property, there may be a charge of \$40.00 for each visit missed if, in the judgment of the Utility, it is warranted.

13. CHARGE FOR THEFT OF SERVICE

The Utility may charge penalties in addition to applicable water charge for each illegal water connection as follows:

1st offence	\$300.00
2nd offence	\$600.00

14. SPECIAL SERVICE CHARGE

A special service charge of \$50.00 per site visit (\$200.00 if such work is performed after regular working hours) shall be charged to each customer receiving a necessary or requested service such as shutting off or turning on water service or other special service not provided for elsewhere in the schedules or the rules and regulations. In the case where the shutting off is requested because there is no operable shut-off valve serving the dwelling, an isolation valve must be installed at the customer's expense.

Despite subsection 9 where suspension of service is for non-payment only, the fees set out therein respecting connection or disconnection of service during regular working hours

do not apply. There will only be one charge of \$50.00 for disconnection & reconnection once per year or in any 12 month period, otherwise, it is \$50.00 per visit.

15. CHARGE FOR WATER BILL COPIES

The Utility may charge a fee of \$10.00 for every water bill copy issued outside of the regular billing cycle.

HST will be added to all fees as required by law.

RM

SCHEDULE "C"
EAST HANTS WATER UTILITY
Schedule of Rates and Charges For Water and Water Services
(Effective for water supplied on and after April 1, 2019)

The rates set out below are the rates approved by the Board for water and water services when payment is made within twenty (20) days from the date rendered as shown on the bill.

An interest rate of 1% per month will be charged to all outstanding accounts at the end of each calendar month.

Each bill shall show the amount payable within twenty (20) days from the date rendered as shown on the bill.

In this Schedule, the word "Utility" means the East Hants Water Utility

1. METER SERVICES

(c) Base Charges

<u>Size of Meter</u>	<u>Quarterly</u>
5/8 "	\$47.00
3/4"	69.01
1"	113.02
1 1/2"	223.05
2"	355.09
3"	707.18
3" Compound	1,414.36

(d) Consumption Rates

All over 0 gallons \$12.34 per 1,000 gallons or
All over 0 cubic meters \$2.71 per cubic meter

Minimum Bills

The minimum bill for water service shall be the Base Charge.

2. BULK WATER METER

\$13.95 per 1,000 gallons or \$3.07 per cubic meter

Bulk water can only be obtained by customers who have a FOB key and an account, on which financial credits have been applied. A refundable deposit of \$25.00 shall be collected by the Utility when a FOB key is provided to a customer. The \$25.00 deposit shall be returned to the customer upon receipt of the FOB key by the Utility, following a verification that the FOB key is in good working order. Lost or stolen FOBs are the responsibility of the customer; failure to return the FOB to the Utility will result in default of the customer's deposit.

3. PUBLIC FIRE PROTECTION SERVICE

The Municipality of the District of East Hants shall pay the Regional Water Utility for Public Fire Protection Services the amount of \$543,345 annually for twelve months beginning April 1, 2019, and for years subsequent the greater of this amount (\$543,345) or the total derived from the following formulae:

- (a) The sum of 30% of transmission and distribution, taxes and depreciation expense of the Utility and return on rate base of the immediately preceding year, plus
- (b) 10% of all other expenses

4. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building having a sprinkler service pipe of 6" or less in diameter	\$300.00
Each building serviced by a sprinkler service pipe of 8" or more	\$400.00

The customer shall be responsible for the supply and installation, including all costs, of a sprinkler service pipe from the main in the street to the building, including a proper size control valve so that the service may be shut off if necessary. All materials and procedures shall meet Utility standards. The Utility shall inspect the installation of same. The portion of the service pipe that extends from the main to the street line shall become the property of the Utility, and this portion shall be maintained and eventually replaced by the Utility when necessary.

5. RATES FOR PRIVATELY OWNED HYDRANTS

Privately owned hydrants supplied with water from the Utility's system through a connection which is not metered.

Per hydrant per year \$200.00

6. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sums as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to any water service or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made for the cost of the meter, after deducting the cost, if any, of repairing the meter and of testing the same and after payment of the base and connection charges and the consumption rates in respect to such installation.

7. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for flushing sewers, drains or any other purpose, excepting those of the Fire Department, the Utility may grant a permit containing such terms and conditions as it considers necessary, including arrangements regarding supervision of the opening and closing of the hydrant and the keeping of a record of the time such hydrant is used. A charge of \$100.00 per permit shall be charged by the Utility plus consumption rate per 1000 gallons as outlined in the rates. The Utility may also recover the cost of staff time during supervision.

8. UNMETERED SERVICE

When circumstances require that a service connection is made without a meter, the minimum charge during the temporary service period shall be the Base Charge prorated according to the length of time the temporary service is required. A charge of \$100 will apply for service connection.

9. CONNECTION / DISCONNECTION/RECONNECTION FEE

The Utility shall charge a \$25.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

The Utility shall charge a \$40.00 fee for the installation of a water meter or the inspection thereof. The fee shall be \$200.00 when a meter is installed, or inspection performed, after normal working hours of the Utility.

If a customer requests a meter replacement, not deemed necessary by the Utility, or if the customer requests a type of meter other than that deemed appropriate by the Utility(i.e. radio read vs regular meter) the customer shall be responsible for the full cost of the meter in addition to the installation fee.

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge has been paid to the Utility. The fee shall be \$50.00 for first-time violations and \$85.00 for successive violations within a period of one year. The fee shall be \$200.00 if done after normal working hours of the Utility.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility shall charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank, or for payment through a pre-authorized payment plan which has been reversed or dishonored by the bank/financial institution.

11. CHARGE FOR USE OF INVESTIGATOR/COLLECTOR

The Utility may charge a \$25.00 fee for each visit by the Investigator/Collector to a customer whose account is being disputed or whose account is past due if it is determined that the account is correct.

12. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

When an appointment has been made by a customer to have water service hooked up or a meter installed, or the water turned on to a property, or another visit to the property for the inception or maintenance of water service to the property and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utilities staff have to return to the property, there may be a charge of \$40.00 for each visit missed if, in the judgment of the Utility, it is warranted.

13. CHARGE FOR THEFT OF SERVICE

The Utility may charge penalties in addition to applicable water charge for each illegal water connection as follows:

1st offence	\$300.00
2nd offence	\$600.00

14. SPECIAL SERVICE CHARGE

A special service charge of \$50.00 per site visit (\$200.00 if such work is performed after regular working hours) shall be charged to each customer receiving a necessary or

requested service such as shutting off or turning on water service or other special service not provided for elsewhere in the schedules or the rules and regulations. In the case where the shutting off is requested because there is no operable shut-off valve serving the dwelling, an isolation valve must be installed at the customer's expense.

Despite subsection 9 where suspension of service is for non-payment only, the fees set out therein respecting connection or disconnection of service during regular working hours do not apply. There will only be one charge of \$50.00 for disconnection & reconnection once per year or in any 12 month period, otherwise, it is \$50.00 per visit.

15. CHARGE FOR WATER BILL COPIES

The Utility may charge a fee of \$10.00 for every water bill copy issued outside of the regular billing cycle.

HST will be added to all fees as required by law

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SCHEDULE "D"
EAST HANTS WATER UTILITY
Rules and Regulations Applicable to the
Supply of Water and Water Services
Effective July 1, 2017

1. DEFINITIONS

In these Rules and Regulations, unless the context otherwise requires, the expression:

"Municipality" means the Municipality of East Hants.

"Utility" means the East Hants Water Utility.

"Engineer" means the Engineer of the Utility.

"Customer" means a person, firm or corporation who, or which, contracts to be supplied with water at a specific location or locations.

"Domestic Service" means the type of service supplied to the owner, his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment, flat, etc.

"Commercial Service" means any type of service, other than domestic service, and public fire protection service as herein defined.

"Metered Rate Service" means that type of service charged for at metered rates. Metered rate service is required for all new services.

2. APPLICATION FOR SERVICE

The Utility may, before rendering service, require a regular application form signed by the prospective customer.

3. DEPOSITS

When required, such applicant for service shall deposit with the Utility a sum equal to the estimated charges for such service for a period of six months. This deposit shall be held by the Utility as collateral security for the payment of its bills, but is not to be considered as a payment on account thereof. When such customer ceases to use the service and discharges all his liability to the Utility in respect of such service, the deposit shall be returned to him, with interest calculated on a simple basis at the rate of bank prime less 2%, as measured at the beginning of the most recent fiscal period of the utility.

4. REFUSAL OF SERVICE

Service may be refused or suspended to any customer who has failed to discharge all of his liabilities to the Utility.

5. PAYMENT OF BILLS

Bills for metered service shall be rendered to customers, not in advance, at intervals of three months. All bills shall be payable within twenty (20) days after the date rendered, which date shall be clearly shown on the bill.

6. ADJUSTMENT OF BILLS – METERED CUSTOMERS

- a) If the seal of a water meter is broken, or if a water meter does not register correctly, the bill for that service shall be estimated in accordance with the best data available.
- b) Customer Under-billed - Should it be necessary for the Utility to make a billing adjustment as a result of a customer being under-billed for any reason, such adjustment shall be retroactive for a maximum of six billings or 18 months whichever is longer. Notwithstanding the above, in the event that a billing adjustment is the result of the customers illegal connection to the water system or willful interference or damage of metering equipment, the billing adjustment in such circumstances will not be limited to 18 months or 6 billing periods, but rather the customer shall be responsible for all payments of such accounts from the date such illegal connection or interference to meter equipment took place.
- c) Customer Over-billed - Should it become necessary for the Utility to make a billing adjustment as a result of a customer being over-billed for any reason, such adjustment will be estimated by the Utility based on the best available data from prior period usage records for the ratepayer and the Utility will be responsible for payment of the over-billed amount with interest calculated on the basis current simple interest at a rate of bank prime less 2% as measured at the beginning of the most recent fiscal period of the utility.

7. LIABILITY FOR PAYMENT OF WATER BILL

An agreement is deemed to exist between a customer and the Utility for the supply of water service at such rates and in accordance with these regulations by virtue of:

- a) the customer applying for and receiving approval for water service;
- b) the customer consuming or paying for water service from the date that the customer, who is a party to an agreement pursuant to the clause (a) (the customer of record), moves out of the premises, in which case the customer of record shall remain jointly and

severally liable for the water service account, up to the date the Utility is notified in writing that the customer of record wishes to terminate the supply of water service;

- c) any person, business or corporation that receives water service without the consent of the utility, shall be liable for the cost of such water service which cost shall be determined in the sole discretion of the utility based on its reasonable estimate of the amount of water utilized;
- d) a property owner who rents or leases a property or self-contained unit to a tenant or lessee shall be required to contract for the provision of water at the address of the property rented or leased. At the discretion of the Utility the tenant or lessee may be permitted to contract for their own water subject to Section 3.

8. ESTIMATED READINGS FOR BILLING PURPOSES – METERED CUSTOMERS

If the Utility is unable to obtain a meter reading for billing purposes, after exercising due diligence in the usual practice of meter reading, the bill for that service shall be estimated in accordance with the best data available, subject, however, to the provision that in no circumstance will an estimated reading be used for more than three consecutive billing periods. If an estimated bill is rendered for three consecutive billing periods, the Utility shall notify the customer by mail that arrangements must be made for the Utility to obtain a reading and failing such arrangements, the Utility may suspend service until such arrangements are made. When such meter reading has been obtained, the previous estimated bill or bills shall be adjusted accordingly.

9. SUSPENSION OF SERVICE FOR NON-PAYMENT OF BILLS

The Utility shall have the right to enter onto customers' premises within reasonable hours to suspend service to customers whose bills remain unpaid for more than thirty (30) days after the date rendered.

10. RESUMPTION OF SERVICE

The customer shall pay the reconnection fee as set out in the Section 9 of the Schedule of Rates & Charges after each suspension. Service suspension can be delayed if approved payment arrangements have been made and the customer is in compliance with arrangements.

11. PUBLIC FIRE PROTECTION SERVICE CHARGE

The Utility shall annually render to the Municipality of East Hants, not later than the last day of February, an account for fire protection service. Such account shall be calculated in the manner set out in the Schedule of Rates.

12. WATER TO BE SUPPLIED BY METER

No water will be supplied to a domestic service or commercial service customer without a meter first being connected to the service line except in emergency situations. Except where water is used for construction purposes from a hydrant under the supervision of the Utility as in these regulations otherwise provided, all services other than those used exclusively for fire protection shall be metered. A meter shall be installed at the very earliest opportunity. The Utility may elect to supply water to a customer without a meter on a temporary basis.

13. INSTALLATION, REMOVAL, AND SELECTION OF METERS

The Utility shall determine the size and type of meter to be installed in each case. All meters shall be the property of the Utility. Meters shall be installed and removed only by employees of the Utility and no other person shall install, alter, change or remove a meter without the written permission of the Utility. The connections for such meters shall be installed to the approval of and at a charge to the customer as outlined in the Schedule of Rates.

In the case of multiple unit premises, the Utility may require separate meters for each dwelling unit at its discretion. Each metered service shall have a curb stop located at the property line to permit control of the service. Each service line shall be metered individually. The connection for the meters shall be installed with shut-off valves on both sides of the meter, to the satisfaction of and without expense to the Utility and as prescribed by the Utility.

If a meter is replaced at the request of a customer (not deemed necessary by the Utility) or if a customer requests a meter of a type different than what is felt to be necessary by the Utility then the customer shall be responsible for costs in accordance with the rates and fees schedule.

14. MASTER METERS

In the case of any existing customer or customers served by the Utility with multiple meters, the Utility may supply, at its own expense, a master meter (so called) and install the same in a suitable frost-proof box constructed by the customers to be serviced, to the satisfaction of the Utility where the service pipe for the customer(s) joins the Utility's main pipe. Each customer shall be liable to pay for the water which passes through the customer's own meter, but if the amount of the total consumption of the individual meters is less than the amount of the water which passes through the master meter, the difference in cost is to be divided equally among the group of customers; and upon failure of customers to pay their portion of this amount within forty (40) days after the bill is rendered, the Utility may suspend the water service without notice. All customers receiving water service where there is a master meter as hereinbefore provided shall be jointly and severally liable for all the water passing through the meter and also for the minimum charges as herein set forth. The customer, or group of customers, as the case may be,

shall be responsible for the distribution of water from the Utility's master meter to the properties of a customer or customers, and the Utility shall be under no obligation to install, maintain or replace any pipes, appliances, fixtures, or other apparatus connected therewith.

15. METER READERS

Each Meter Reader shall be provided with an official badge which he/she shall exhibit on request.

16. ACCESS TO CUSTOMER'S PREMISES

Representatives of the Utility shall have right of access to all parts of a customer's property or premises at all reasonable hours for the purpose of inspecting any water pipes or fittings, or appliances, or discontinuing service, or for the purpose of installing, removing, repairing, reading or inspecting meters. The Utility shall have the right to suspend service to any customer who refuses such access.

17. LOCATION OF METERS

The Utility shall have the right to refuse service to, or suspend the service of, any customer who does not provide a place which, in the opinion of the Utility, is suitable for the meter. It should be in the building served, at or near the point of entry of the service pipe, in a place where it can be easily read and where it will not be exposed to freezing temperatures. Where the premises of a customer are of such a nature that a meter cannot be properly installed in a building or if the building is not sufficiently frost-proof as to guarantee the safety of the meter, the Utility may order the construction of a suitable frost-proof box in which the meter can be installed. Service to such premises may be refused or suspended until such a frost-proof box approved by the Utility is installed.

18. DAMAGE TO WATER METERS

Each customer shall be responsible for the meter installed on his service and shall protect it. He shall be liable for any damage to the meter resulting from carelessness, hot water or steam, or the action of frost or from any other cause not the fault of the Utility or its employees. The cost to the Utility occasioned by such damage to the meter shall be paid by the customer. If after the rendering of a bill by the Utility to the customer for such cost, the same is not paid within thirty (30) days from the date rendered, the supply of water to the customer concerned may be suspended until all charges are paid.

19. METER TESTING

On the request of a customer to have their meter tested, the Utility may charge a sum of \$100.00 for cost of making the test. If the test shows that the meter is over-registering by more than one and one-half percent (1.5%) for positive displacement meters and three

percent (3%) for turbine or compound meters then the sum so deposited shall be refunded to the customer.

20. PLUMBING TO BE SATISFACTORY

All plumbing, pipes and fittings, fixtures, and other devices for conveying, distributing, controlling, or utilizing water which are used by a customer and are not the property of the Utility, shall be installed in the manner provided by the Regulations of and be approved by the proper official of the Municipality of the District of East Hants as set out in the By-Laws. The water shall not be turned on (except for construction or testing purposes) until the applicant for service has satisfied the Utility that these requirements have been met. The supply of water may be discontinued to any customer at any time if, in the opinion of the proper official of the Municipality of the District of East Hants, the plumbing, pipes, fittings, fixtures, or other devices as hereinbefore mentioned, or any of them, fail to comply with the above requirements, or if any part of the water system of such customer or the meter is in any unsuitable, dirty, unsanitary or inaccessible place. Service shall not be re-established until such condition is corrected to the satisfaction of the Utility.

21. CROSS CONNECTION CONTROL & BACKFLOW PREVENTION

- (a) No owner, consumer, customer or other person hereinafter collectively referred to in this rule and regulation as "person" shall connect, cause to be connected, or allow to remain connected to the water system, or plumbing installation, without the express written consent of the Utility, any piping fixtures, fittings, container or appliance in a manner which, under any circumstances, may allow water, wastewater, or any other liquid, chemical or substance, to ingress or egress the water system. Connection of any customer's installation served by the Utility to any other source of water supply is prohibited.
- (b) Where, in the opinion of the Utility, there may be a risk of contamination to the potable water system, notwithstanding the provisions of subparagraph (a), the Utility may require the customer, at the customer's sole cost and expense, to install at any point on the customer's water service connection or water service pipe, one or more backflow prevention (BFP) devices, which devices shall be of a quality and type approved by the Utility.
- (c) All BFP devices shall be maintained in good working order. Such devices must be inspected and tested by a certified tester, approved by the Utility, at the expense of the customer. Such inspections shall take place upon installation, and thereafter annually, or more often if required by the Utility. The customer shall submit a report in a form approved by the Utility on any or all tests performed on a BFP device within 30 days of a test. A record card shall be displayed on or adjacent to the BFP device on which the tester shall record the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name, the name of his employer, and the tester's license number.

- (d) The Utility shall maintain a program for the issuance, renewal and cancellation of Cross Connection Control Tester's Licenses. The Utility's program shall establish minimum standards, fees and administrative procedures.
- (e) Installation, maintenance, field-testing and selection of all BFP devices shall fully conform to the latest revision of CSA B64.1 0 and CSA B64 series.
- (f) In the event of any breach, contravention or non-compliance by a person of any of the provisions and regulations in sub-paragraphs (a), (b), or (c), the Utility may:
 - (i) suspend water service to such person, or
 - (ii) give notice to the person to correct the breach, contravention or noncompliance within 96 hours, or a specified lesser period. If the person fails to comply with such notice, the Utility may immediately thereafter suspend water service to such person.

22. DANGEROUS CONNECTIONS

No connection shall be permitted to any installation, equipment or source in such a manner as may allow any contamination to pass from such installation, equipment or source into the Utility's water supply system. If any such connection exists, the Utility may discontinue the supply of water to such customer.

23. PROHIBITED DEVICES

Service may be refused or suspended by the Utility to any customer who installs or uses any device or appurtenance, as, for example, booster pumps, quick-opening or quick-closing valves, flushometers, rod-hopper water closets, water-operated pumps or siphons, standpipes, private fire hydrants, or large outlets for supplying locomotives or ships, etc., which may occasion sudden large demands of short or long duration, thereby requiring oversize meters and pipe lines, or affect the stability or regulation of water pressure in the Utility's system. Permission to install or use any such device or appurtenance must be obtained from the Utility, which permission shall specify what special arrangements, such as elevated storage tanks, or equalizing tanks, etc., must be provided by the customer.

24. IMPROPER USE OR WASTE OF WATER

No customer shall permit the improper use or waste of water, nor shall sell or give water to any person except upon such conditions and for such purposes as may be approved in writing by the Utility.

25. SERVICE PIPES

Upon receipt of an application for service to any premises located on any portion of a street through which portion a main water pipe is laid and which premises are not already provided with water service, the Utility shall install a service pipe which is considered to be

of suitable size and capacity. No pipe smaller than 3/4" (19mm) in diameter shall be laid for any service.

The cost of supplying and laying a 1" (25mm) or smaller service pipe and fittings between the main pipe and the street line shall be paid by the Utility. From the street line to the premises, the cost shall be paid by the customer.

For services larger than 1" (25mm), the whole cost shall be borne by the customer. Should any person make application for more than one service to his premises, the decision as to the necessity of the additional service shall be made by the Utility, and if the additional service is installed, the total cost thereof from the main to the customer's premises, shall be paid by such applicant.

All services must be installed in accordance with the Rules and Regulations of the Municipality of the District of East Hants as set out in the By-Laws and to the satisfaction of the Utility.

When a service has been installed without objection from the customer as to the location of the same, no subsequent removal of or alteration to the position of the pipe shall be made except at the expense of the customer requesting such removal or alteration.

26. REPAIRS TO SERVICE

If a leak or other trouble occurs in a service pipe, it shall be repaired as soon as possible. If the leak or trouble occurs between the main and the street line, it shall be repaired by the Utility at its expense. If the leak or trouble occurs elsewhere on the service, it shall be repaired by the customer at their expense. If the leak or trouble occurs in a service line which provides private fire protection services (sprinkler or hydrant) it shall be repaired by the customer at their expense. The Utility may make such repairs for any customer provided the customer agrees to pay the cost of same. When required, each customer desiring the Utility to do such work, shall deposit with the Utility, a sum equal to the estimated cost of the work.

If a leak occurs on the customer's portion of his service pipe and, after being notified of same, they refuse or unduly delay to have repairs made, the Utility may discontinue the supply of water to such service pipe if, in its opinion, such action is necessary in order to prevent wastage of water. The Utility shall notify the customer affected of its intention to discontinue such supply.

27. DEPOSITS IN ADVANCE FOR REQUEST FOR UTILITY WORK

Whenever a customer requests the Utility to do work for which they are required to pay and the Utility agrees to do the work, they shall deposit with the Utility, before the work is started, a sum of money equal to the Utility's estimate of the probable cost of said work and execute an agreement to pay the actual cost. When the actual cost is determined, an adjustment in the payment shall be made. Regular service shall not be established by the

Utility until all charges are paid in full. Installations shall be made in accordance with the Municipality of the District of East Hants Municipal Services Systems General Specifications and be subject to inspection by the Utility's Engineer or representative prior to water service being made available.

28. UNAUTHORIZED EXTENSIONS, ADDITIONS OR CONNECTIONS

No person shall, without the written consent of the Utility, make or cause to be made any connections to any pipe or main or any part of the water system, or in any way obtain or use water therefrom in any manner other than as set out in these Regulations. Any unauthorized connection shall be subject to removal by the Utility. The cost of the removal including labour, materials together with any applicable charges as outlined in the Utility Schedule of Rates and Charges shall be paid by those who made the unauthorized connection.

29. SEASON FOR LAYING PIPES

The Utility shall not be required to lay any pipe at any season of the year or at any time which, in its opinion, is not suitable.

30. SPRINKLER SERVICE PIPES

The customer shall be responsible for the cost of installing a sprinkler service pipe from the main in the street to the building, including a proper size control valve so that the service may be shut off if necessary. The Utility shall either install the service pipe or it shall supervise the installation of same. The portion of the service pipe that extends from the main to the street line shall become the property of the Utility and its portion shall be maintained and eventually replaced by the Utility when necessary.

31. PRIVATE FIRE PROTECTION

Fire protection lines within buildings shall be installed so that all pipes will be open and readily accessible for inspection at any time, and no connection for any purpose other than fire protection shall be made thereto. Unless approved by the Utility in writing, no fire protection line shall be connected in any way to a metered service. Payment for private fire protection service shall be at such rates as approved by the Nova Scotia Utility and Review Board.

32. LIABILITY OF UTILITY

The Utility shall not be deemed to guarantee an uninterrupted supply or a sufficient or uniform pressure and shall not be liable for any damage or injury caused or done by reason of the interruption of supply, variation of pressure or on account of the turning off or turning on of the water for any purpose.

33. SUSPENDING SERVICE FOR VIOLATION

Whenever, in the opinion of the Utility, violation of any of these Rules and Regulations is existing or has occurred, the Utility may cause the water service to be suspended from the premises where such violation has occurred or is existing and may keep the same so suspended until satisfied that the cause for such action has been removed.

34. INTERFERENCE WITH UTILITY PROPERTY

No person, unless authorized by the Utility in writing, shall draw water from, open, close, cut, break, or in any way injure or interfere with any fire hydrant, water main, water pipe, or anything the property of the Utility or obstruct the free access to any hydrant, stop cock, meter, railway siding, building, etc., provided, however, that nothing in this paragraph contained shall be deemed to prevent an officer or member of the Fire Department engaged in the work of such Department, from using any hydrant or other source of water supply of the Utility for such purpose.

35. PRESSURE REDUCING VALVES

Where, in the opinion of the Utility, it is necessary for proper water service, a customer shall install on the service pipe, between the meter and the shut off valve on the customer's side of the meter, a pressure reducing valve of a type satisfactory to the Utility. The customer shall be responsible for the cost of installing and maintaining the pressure reducing valve at all times.

36. PRESSURE RELIEF VALVES

Whenever a pressure reducing valve has been installed by a customer in accordance with Regulation 35, the customer shall, for their own safety and protection, install on their hot water boiler and any other hot water heating device connected to the building's plumbing system, a pressure relief valve of an approved type, as well as an approved temperature limiting device. It shall be the customer's responsibility to maintain and keep in service the pressure relief valve at all times.

37. EXTENSIONS

Upon the request of the owner/developer of any property situated within the serviceable boundary as outlined in the Municipal Planning Documents on any street or highway in which no water main has been laid, for the extension of the water service thereto, such extension shall be subject to payment of the complete cost by the owner/developer.

Installations shall be made in accordance with Municipality of the District of East Hants Municipal Services Systems General Specifications and be subject to inspection by the Utility's Engineer or representative prior to water service being made available.

38. **CONSERVATION DIRECTIVES**

The Utility may enact conservation of water directives to its customers, if in the opinion of the Utility, such directives will permit the Utility to provide a reliable, continuous water supply to all customers serviced by the Utility. During such times as these directives may be enacted, customers who do not comply with the directives may have their water supply suspended until such time as the customer will agree to comply with the directive or upon suspension of the water conservation directive, whichever occurs first. In the event that water is temporarily suspended for non-compliance of a water conservation directive, the cost of turning on the service will be billed to the customer.