

ORIGINAL SHEET NO. 1

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COMPANY SEVENTY-NINE
DBA RED MOUNTAIN WATER ASSOCIATION

NAMING RATES FOR

COMPANY SEVENTY-NINE
DBA RED MOUNTAIN WATER ASSOCIATION

At

BENTON COUNTY

And

CONTAINING RULES AND REGULATIONS

GOVERNING SERVICE

Issued December 21, 1989 Effective January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Mark S. Burcup Title Partner

Address 214 G Torbett Street Richland, Wa 99352

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DBA RED MOUNTAIN WATER ASSOCIATION

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Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S Durup **Title** Partner

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WATER SERVICE
RULES AND REGULATIONS

Rule 1 - Adoption of Rules of Regulator Authorities

The rules regulating water service prescribed by the Washington Utilities and Transportation Commission, hereinafter referred to as the Commission; are hereby adopted and by this reference are made a part of this tariff.

Rule 2 - Schedules and Conditions

The schedules and conditions specified in this tariff for water service are subject to change in accordance with the public service laws of the state of Washington or any amendment thereof. The amount of water to be furnished hereunder shall be subject to the capacity available from existing wells, or other sources of supply, of the utility. All schedules for water service apply to customers located on the established water mains of the utility.

Rule 3 - Supply and Use of Service

Service will be supplied only under and pursuant to these rules and any modifications or additions thereto lawfully made, and under such applicable rate schedule(s) as may from time to time be lawfully fixed. Service will be supplied only to those who secure their source of water exclusively from the utility, unless otherwise provided under appropriate contract. Water service shall be used only for the purpose specified in the service agreement and applicable rate schedule(s), and customer shall not sell, or permit others to use such service, except when expressly authorized to do so under appropriate contract.

Rule 4 - Application and Agreement for Service

Each prospective customer desiring water service may be required to sign the utility's standard form of application or other form or agreement before such service is supplied by the utility.

Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S. Burns **Title** Partner

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WATER SERVICE
RULES AND REGULATIONS

Rule 4 - Application and Agreement for Service (Cont'd)

An application for service shall be deemed to be a notice that the prospective customer desires water service from the utility and represents his agreement to comply with the utility's Rules and Regulations on file with the Commission and in effect at the time water service is furnished. In the absence of assigned application for water service, the delivery of water and the taking thereof by the customer shall be deemed to constitute an agreement by and between the utility and the customer for the delivery and acceptance of service under the applicable rate schedule(s) and these Rules and Regulations.

Rule 5 - Company's Service Pipe and Meters

The utility will construct service connections of a proper size, as determined by the utility, from its distribution mains to the customer's property. The utility reserves the right to refuse to construct a service connection to any property in case a reasonable doubt exists as to continuity of service, or in case the applicant's pipes are not properly constructed and protected.

The utility reserves the right to meter any flat rate service at its convenience, the utility's metered service rates thereupon to become effective, provided the customer has received 30 days written notice. All meters so placed will be installed and maintained by the utility without cost to the customer.

A meter will be installed upon any flat rate service at the request of the customer, provided however, that the actual cost of the meter installation must be paid by the customer at the time of the installation and before the water is turned on. The amount so paid will be refunded to the customer by allowing him credit of one-quarter (1/4) of his monthly bill until such time as the amount has been paid, provided such refund payments do not run for more than three years from the date when refunds began. All meters will be maintained by the utility without cost to the customer.

Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By *Max S. Burreup*

Title *Partner*

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WATER SERVICE
RULES AND REGULATIONS

Rule 6 - Service Connection Charge

See Schedule No. 3

Rule 6A - Account set-up charge of \$50.00 will be assessed all new customers.

Rule 7 - Reconnection Charge

A reconnection charge of \$50.00 dollars per service shall be made for any subsequent reconnection of the customer's service to the utility's distribution system. Such charge is to apply only in cases where service has been discontinued on account of delinquent account, request of the customer, refusal to make proper repairs or similar cause. No charge will be made for reconnection of service if the shut-off was made for the convenience of the utility in making repairs, changes, etc.

Rule 8 - Distribution Main ExtensionDefinition:

"Extension" shall be the main distribution piping and apparatuses required to connect from the Company's closest existing facilities, in conformance with sound engineering practices, to the point of interconnection with customer's service line. The company will be the sole determiner of the facility routing.

Applicable:

To piping or main extension lines installed, owned, operated and maintained by the Company.

Charges for main extensions will be contracted, in compliance with WAC 480-80-335, at actual cost and must be paid prior to construction unless the company and the customer agree otherwise.

Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S. Burrows **Title** Partner

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WATER SERVICE
RULES AND REGULATIONS

Original Extension Certificate:

Upon payment of line extension charges the company will issue to the customer a transferable Original Extension Certificate, the bearer of which is entitled to receive refunds from the company up to 5 years, as a result of subsequent customers taking service from the main extension. The company and the customer will be responsible for identification of original and subsequent customer refunds up to 6 years.

Subdivisions and Speculative Projects:

When a developer requests Line Extension facilities to serve future commercial or residential sites no free allowance will be given until a permanent customer of record requests service connection. Developers will receive an Original Allowance Certificate to guarantee appropriate refunds for prepaid line extensions to the first permanent customer of record.

In addition, there will be a charge on Main Extensions based on a gross up factor of 51% due to Federal income taxes assessed on contributions in aid of construction.

Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S Barrow **Title** Partner

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WATER SERVICE
RULES AND REGULATIONS

Rule 9 - Responsibility for, and Maintenance of, Services

The customer will assume all responsibility on his premises for water supplied by the utility. The utility will be exempt from all liability for loss or damage caused by leakage or escape of water furnished by the utility, after the same has passed the point of the utility's ownership.

All service pipes and fixtures on the premises of the customer must be kept in repair and protected from freezing at the expense of the customer. Where there are leaking or defective pipes or fixtures, the water may be turned off at the option of the utility until the proper repairs are made. The utility may require any service to be equipped with a stop and waste cock to be used during freezing weather instead of permitting water to run continuously from faucets.

Rule 10 - Access to Premises

The utility's regularly authorized agents or employees shall have access to the premises of the customer at reasonable hours for the purpose of meter reading, inspection, connection, disconnection, repair or removal of the utility's property installed thereon.

Rule 11 - Interruption to Service

The utility will make a diligent effort to render uninterrupted service and supply of water; and, in cases where shut-off is necessary for repair, reconstruction, damage prevention or similar cause, the utility will endeavor to give advance notice to its customers of such expected shut-off. However, the utility will not be responsible for any damage which may result from any cessation of services such as above outlined, nor for failure to give notice to shut-off when circumstances are such that it is impossible to give notice as above stated.

Issued December 21, 1989 Effective January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S. Burns

Title Partner

COMPANY SEVENTY NINE
dba RED MOUNTAIN WATER ASSOCIATION

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WATER SERVICE
RULES & REGULATIONS

Rule 12 – Bills / Late Payment Charge / NSF Charge

All metered and flat rate charges will be billed bi-monthly and shall be paid in arrears on or before the 15th day after the service is billed. Where the meter has not been read, an estimated bill will be rendered and adjusted when the next succeeding meter reading is available.

Bills are due and payable upon receipt. Bills are considered late 30 days after the bill mailing date. A Late Payment Charge as specified in **Schedule 2** shall be added to each account for each month the bill is unpaid. The late payment charge will not be applied to any disputed amount unless such amount remains unpaid for more than 30 days after the dispute has been resolved.

Rule 13 – Deposits

The company does not generally require deposits from its customers. However, if a customer's service is disconnected for nonpayment of bills, a deposit not to exceed 3/12 of estimated annual billing may be required.

Deposits held by the company shall accrue interest at the rate established according to law as interest upon judgments in the superior courts of the State of Washington as of January 1 of each year. Interest is computed from the time of deposit to the time of termination of service and is compounded annually.

Deposits are refunded to the customer, with interest, after one year if the customer has not been disconnected for nonpayment of bills and has received no more than two disconnect notices in the 12-month period.

Upon termination of service, the utility will return to the customer the amount then on deposit plus accrued interest, less any amount due the utility by the customer for service rendered.

Issued: March 8, 2002

Effective: June 1, 2002

Issued by COMPANY SEVENTY NINE dba RED MOUNTAIN WATER ASSOCIATION

BY May S. Burnett TITLE: Partner

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WATER SERVICE
RULES AND REGULATIONS

Rule 14 - Discontinuance of Service

The utility reserves the right to discontinue a customer's service if the customer:

- (a) Fails to maintain his connections, service pipes, or fixtures in good order.
- (b) Damages any service pipe, meter, curb stop valve, seal or other facility of the utility.
- (c) Vacates the premises.
- (d) Willfully wastes water through improper or imperfect pipes, fixtures or otherwise.
- (e) Fails to make or renew any required deposits, or fails to make payments for water service or any other proper charges accruing under the applicable rate schedules, when due.
- (f) Refuses to permit an employee of the utility to have reasonable access to the premises for the purpose of inspecting the facilities, or for testing, reading, maintaining or removing meters.
- (g) Makes fraudulent use of the service.
- (h) Violates any of these Rules and Regulations.

The right to discontinue service may be exercised whenever and as often as any of the foregoing situations shall occur, and neither delay nor omission on the part of the utility to enforce this rule at any one or more times shall be deemed a waiver of its right to enforce the same at any time, so long as the situation continues.

A minimum of eight (8) working days' written notice will be given the customer before service is discontinued under this rule, except in the case of fraudulent use of service, or in case of danger to life or property, when utility may discontinue service on less than eight (8) days' written notice.

If service is not discontinued within ten (10) working days of the date noted, unless other mutually acceptable arrangements have been made, that disconnection notice shall become void and a new notice shall be required before the service can be disconnected.

Issued December 21, 1989 Effective January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S. Burrows Title Partner

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WATER SERVICE
RULES AND REGULATION

Rule 14 - Discontinuance of Service (Cont'd)

The utility will restore service when the cause of discontinuance has been removed and payment of all proper charges due from customer, including the Reconnection Charge set forth in this tariff, have been made.

Rule 15 - Rates

Rates for water service and supply shall be those published in the utility's tariff on file with the Commission. Unless otherwise stated in this tariff, the rates shall apply to a single service, to one customer at one premises. Where two or more families with separate housekeeping establishments occupy the same or separate dwellings, each family using water shall be considered a separate customer. Each separate housekeeping establishment or business, will each be considered a customer.

When conditions require that more than one customer be supplied through one meter, each customer shall be charged the minimum charge as provided by the schedule of rates. If the consumption as shown by the meter exceeds the allowance for the minimum charge multiplied by the customers, the excess consumption charge shall be computed at the regular rates for one customer and the amount prorated equally to the several customers, or otherwise as may be agreed among themselves.

Rule 16 - Sprinkling and Irrigation

Water used for sprinkling and irrigation shall be paid for at the regular prescribed tariff rates for such service. The hours for such use shall be as prescribed from time to time by the utility, subject to protest by any customer affected and to review by the Commission.

No person shall use water for sprinkling or irrigation purposes during any fire in the area, and all sprinkling or irrigation shall be stopped immediately when an alarm of fire is sounded, and not resumed until the fire has been extinguished.

Issued December 21, 1989 **Effective** January 1, 1990

Issued by Company Seventy-Nine dba Red Mountain Water Association

By Max S. Burns

Title Partner

COMPANY SEVENTY NINE
dba RED MOUNTAIN WATER ASSOCIATION

Sub

WATER SERVICE
RULES AND REGULATION

Rule 17 – Property on Public Highways

All distribution mains and those portions of service connections, exclusive of customers owned in or on streets or public highways will be considered utility property and will be maintained by the utility at its expense.

Rule 18 – General

All special cases not covered by the foregoing Rules and Regulations will be covered by special rules to be filed as a part of the utility's tariff on file with the Commission, subject in each case to protest according to law.

The utility hereby adopts and makes a part of this tariff the regulations of the Commission as provided in Chapter 480-110, Washington Administrative Code.

Rule 19 – Account Set-Up Charge/NSF (Non-Sufficient Funds) Charge

An account set-up charge as specified in **Schedule 2** will be made for each new account or change of account responsibility on an existing service. Such charge will be included in the initial billing to the customer. This charge included the utility dispatching an employee to establish a base meter reading. This account set-up charge does not apply to:

- (a) Installation of a new meter.
- (b) Temporary or seasonal reconnection.
- (c) Owners or agents assuming temporary responsibility for service to vacant premises.

An NSF charge as specified in **Schedule 2** will be made for handling customer checks that have been returned by the bank as NSF or account closed. This charge will be applied to the next billing to the customer.

Rule 20 – Cross Connection Control

The customer shall not permit the plumbing on their premises to be connected to any source of water supply other than the utility's or to any potential source of contamination, without first obtaining the utility's written permission and meeting the utility's cross connection control criteria. The customer shall assure that effective back-flow prevention measures are implemented to ensure continual protection of the water in the public water distribution system. Any back-flow prevention device deemed necessary by the utility to prevent entry of contaminants shall be installed at the customers expense.

Issued March 8, 2002 Effective June 1, 2002

Issued by COMPANY SEVENTY NINE dba RED MOUNTAIN WATER ASSOCIATION

By Max S. Burns Title Partner

Fifth Revision of Sheet No. 21 Canceling
Fourth Revision of Sheet No. 21 Canceling
Third Revision of Sheet No. 21 Canceling
Second Revision of Sheet No. 21
WN U-1

COMPANY SEVENTY NINE
Dba RED MOUNTAIN WATER ASSOCIATION

SCHEDULE NO. 1
METER RATE SERVICE

Applicable to all customers having water service delivered by the company on a metered basis:

| RATES | PER MONTH | SYMBOL |
|--------------------------|------------------|--------|
| METER SIZE - 1 INCH | | |
| Base charge | \$19.00 | I |
| 0 - 8,000 gallons | \$0.75/1000 gal. | I |
| 8,001 - 80,000 gallons | \$0.91/1000 gal. | I |
| Over 80,000 gallons | \$1.00/1000 gal | I |
| METER SIZE - 1 1/2 INCH | | |
| Base charge | \$31.00 | I |
| 0 - 16,000 gallons | \$0.75/1000 gal. | I |
| 16,001 - 160,000 gallons | \$0.91/1000 gal. | I |
| Over 160,000 | \$1.00/1000 gal | I |

Billings will be made bi-monthly

Issued: March 30, 2009

Effective: June 1, 2009

Issued by COMPANY SEVENTY NINE dba RED MOUNTAIN WATER ASSOCIATION

By: Max S Buscup

Title: Partner

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SCHEDULE NO. 2

LATE FEES AND NSF FEES

Applicable to all customers having water service delivered by the company:

\$3.00 per month
(Beginning 30 days after billing)

NSF Charge \$15.00

Issued: March 8, 2002

Effective: June 1, 2002

Issued by: COMPANY SEVENTY NINE dba RED MOUNTAIN WATER ASSOCIATION

By: *Max S. Lumsden*

Title: *Partner*

Second Revision of Sheet No. 30
Cancelling
First Revision of Sheet No. 30
WN U-1

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SCHEDULE NO. 3

SERVICE CONNECTION CHARGE

A charge of \$ 350.00 will be made for each service (C)
connection 1 inch or smaller, for which the utility will
furnish and install all necessary pipe and pipe fittings from
its main to the customer's property line. The charge for a
larger size pipe connection or any connection longer than the
width of the street or public highway will be equal to the
actual cost of labor and materials.

The charge does not include the cost of a meter or its
installation. A meter will be furnished, installed and
maintained by the utility without cost to the customer.

The service connection charge will be paid before the
water is turned on.

June 24, 1994 August 1, 1994
Issued..... Effective.....

Issued by...Company Seventy Nine dba Red Mountain Water Association..

By...*Max S Burrup*..... Title...Partner.....