

AGENDA
ANNUAL MEETING OF THE BOARD OF TRUSTEES
PORTLAND WATER DISTRICT
225 Douglass Street, Portland, Maine
Jeff P. Nixon Training Center
6:00 p.m., Monday, March 28, 2022

- | | | |
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| 1. | <u>Convene Meeting</u> with Pledge of Allegiance and moment of silence. | President Douglas |
| 2. | <u>Roll Call</u> | Clerk |
| 3. | <u>Election of Officers for 2022-2023</u> <ul style="list-style-type: none">▪ President▪ Vice President▪ Treasurer▪ Clerk▪ Assistant Clerk | Clerk |
| | <u>President for 2022-2023 assumes Chair</u> | |
| 4. | <u>Acceptance of Minutes</u> of Regular Meeting of February 28, 2022. | President |
| 5. | <u>Invitation for Public Comment</u> | President |
| 6. | <u>Reports:</u> <ul style="list-style-type: none">▪ Operations Committee Reports▪ Planning Committee Reports▪ Administration & Finance Committee Reports▪ General Manager's Report | Trustee Shattuck-Heidorn
Trustee Siviski
Trustee Cote
General Manager |
| 7. | <u>New Business</u> <ul style="list-style-type: none">A. <u>Resolution 22-005</u> authorizing revisions to and restatement of the District's Terms & Conditions.B. <u>Order 22-010</u> authorizing revisions to the Fee Schedule for Non-Water Tariff Services.C. <u>Order 22-011</u> authorizing the method of procurement for engineering services for the North Windham Wastewater Treatment Facility Project.D. <u>Order 22-012</u> authorizing revisions to the District's Policy 620 Water Service. | Administration & Finance Committee
Administration & Finance Committee
Operations Committee
Operations Committee |
| 8. | <u>Other Business.</u> An item may be added to this agenda provided seven trustees vote to waive the rule regarding agendas. | President |
| 9. | <u>Second Invitation for Public Comment.</u> | President |

10. Trustee Comments. President
11. Executive Session. A motion may be made to go into Executive Session at any time during the meeting to discuss, pursuant to 1 M.R.S. §405(6)(A) personnel, 1 M.R.S. §405(6)(C) real estate, 1 M.R.S. §405 (6)(D) labor negotiations, or 1 M.R.S. §405(6)(E) legal matters. President
12. Adjournment. President

Donna M. Katsiaficas
Clerk

Portland Water District
Board of Trustees Regular Meeting
March 28, 2022

New Business

Agenda Item 7A-7D



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7A Resolution 22-005
Date of Meeting: March 28, 2022
Subject: Water Terms and Conditions Amendment and Restated
Presented By: Adam Sellick, Project Manager

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

RESOLVED, the revisions to the District's Terms & Conditions of water service, attached hereto as Exhibit A, are hereby adopted with an effective date of April 1, 2022, and

RESOLVED, the restated District's Terms and Conditions of water service, attached hereto as Exhibit B, are hereby adopted with an effective date of April 1, 2022.

BACKGROUND ANALYSIS.

During a recent review of the Portland Water District (PWD) Terms & Conditions (T&C), the District's Main Extension and New Services (MEANS) Group recognized that several of the fees and deposits associated to the MEANS process are not defined. This prompted a review of the T&C at large, and in coordination with the several PWD Department Heads, a revision of the document has been prepared for review by the Board.

Two (2) documents have been prepared, the first is a revision of the existing T&C document with edits only to the content of the document (highlights listed below) (see Attachment A). The second is a proposed Restatement of the T&C which reorganizes the Sections of the document to be more user friendly to the Customer (see Attachment B). This Restatement includes no revisions to the Content of the document, but does include substantial formatting revisions that provide for a more polished product.

An outline of the Content changes in the proposed T&C revision is included below:

- **Section 8.** Removed, testing of backflow preventers at the request of the Customer is no longer a PWD practice.
- **Section 10.** Meters larger than two (2) inches will be replaced at actual cost, aligning the fees with the MEANS Process. Also noted that meters installed in a meter pit will be done at actual cost.
- **Section 14.** Edited to better define the minimum requirements to initiate a new service or main extension project.

- **Section 37.** This section has been revised to define all fees and deposits associated to new main extension projects, as well as describe the process by which the fees and deposits are collected. There are no new fees or deposits proposed.
- **Section 38.** This section has been revised to define all fees and deposits associated to new service projects, as well as describe the process by which the fees and deposits are collected. The changes being proposed to the current process is establishing a Flat Rate fee for activation of new fire services, and the addition of initial backflow testing fees (EAM/Cayenta process change). All other fees/deposits outline reflect current process.

An outline of the Formatting changes in the proposed T&C revision is included below:

- **Section Reorganization.** The Sections in the T&C have been reordered to be more ergonomic for the Customer. A series of tables has been included as Exhibit C to illustrate the flow of Sections in the T&C from their existing order to the restated order.
- **Formatting (Page Structure).** Headers and footers were developed for each page to allow for uniform page structure.
- **Formatting (Sections/Subsections).** A uniform Section/Subsection structure has been proposed using numbers. The previous version has varying subsection titles depending on the section.
- **General Edits.** There are several minor edits throughout the document (e.g., revising each reference to Policies 620 & 650 such that they are uniformly mentioned throughout the document). None of these changes have a profound effect on the Section they are in, but should be reviewed individually.

FISCAL REVIEW / FUNDING

The proposed changes are expected to have minimal fiscal impact.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends the proposed motion be approved. The Committee voted to forward the item to the full Board for its consideration.

ATTACHMENT(S)

- Proposed Terms & Conditions Changes
- Restated Terms and Conditions
- Cross Reference Table of Existing Terms and Conditions to Restated Terms and Conditions.

TERMS AND CONDITIONS

Filed at the Office of the Public Utilities Commission
As Amended ~~May 1, 2019~~ April 1, 2022

PORTLAND WATER DISTRICT

225 Douglass Street, Portland, Maine

Effective Date: ~~May-April 1, 2019-2022~~
PWD Resolution ~~19-006~~22-005

By: David Kane, Treasurer

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

These Terms and Conditions produced by the Portland Water District, and accepted by the Maine Public Utilities Commission will govern and guide the District in the operation of its business.

All District provision of service and credit and collection procedures in these Terms and Conditions will conform and be based upon rules of the Maine Public Utilities Commission except as hereinafter noted.

Except as explicitly provided herein, these Terms and Conditions are not intended to modify any rights or duties of the District or any customer or any authority of the Public Utilities Commission under any provision of Maine law, including Title 35-a of the Maine Revised Statutes Annotated or the rules and regulations of the Maine Public Utilities Commission.

1) Billing and Payment Procedures

The due date of a bill must be at least 25 days after the bill is mailed or otherwise delivered to the customer. A bill is considered "mailed" on the date the bill is postmarked. If there is no postmark (as with an electronic bill) the District will send the electronic notification to the customer no more than 1 day after the bill date.

Bills may be rendered monthly, bimonthly, quarterly, or by the season at the option of the District. Metered minimum charges and private fire service charges, except for seasonal main charges, may be prorated for the exact number of days of service when service is open or closed.

The customer will be responsible for providing a correct billing address or email address if bill notification is received electronically. Failure to receive a bill does not relieve the customer of the obligation of its payment, nor from the consequence of nonpayment.

Applicants or customers may notify the District in writing if they wish to designate a Third Party to receive copies of customer bills and disconnection notices.

When a billing error is discovered the District will have up to 90 days to correct the error.

PORTLAND WATER DISTRICT

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2) Collection Charge for Past Due Bills

If District personnel visit the customer's premises to disconnect service for nonpayment and in lieu of actual disconnection, the customer pays or makes a payment arrangement for the entire balance due the District will charge a collection fee \$23.00.

2.1) Unauthorized use/Theft of service Charge

If District personnel expend time investigating and documenting a diversion of water by a customer, the customer shall be responsible for all documented costs of investigation and adjustment incurred by the District, unless fees are otherwise recovered pursuant to 35-A M.R.S. § 2705. For purposes of this section, Diversion shall mean the diversion of flow around the meter to evade charges as well as the unauthorized reconnection of service by a customer or his/her representative after water has been shut off due to nonpayment.

2.2) Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings

Pursuant to Chapter 660, before the Utility disconnects service to a leased or rented single meter, multi-unit dwelling, the Utility will:

- a. Apply any existing deposit to the current account balance,
- b. Assess against the landlord a collection fee of \$100.00 in addition to any applicable reconnection fee set forth in Section 3 of these Terms and Conditions.

3) Restoration of Service

The District will charge a customer a connection fee to restore service at the customer's premises if service was disconnected for nonpayment of bills, violation of the Terms and Conditions, fraudulent use of water, dangerous conditions on the customer's premises, violation of Commission rules, or at the customer's request, including requests to have the curb stop operated to enable work to be done on private property.

When the District is notified during *Normal Business Hours to restore service or is requested to restore service during Normal Business Hours, a reconnection fee of \$60.00 will be charged. When the District is notified during *Other Hours to restore service or is requested to restore service during Other Hours, the charge is \$42.00 per hour with a minimum charge of \$109.00.

The District will make a reasonable effort to reconnect service during *Normal Business Hours on the same day the request to reconnect is received. At the latest, reconnection must be made by 5:00 p.m. the following business day after the request.

* Refer to Terms and Condition 40 for definition of Office Hours, Normal Business Hours and Other Hours

PORTLAND WATER DISTRICT
TERMS AND CONDITIONS

4) Late Payment Charges

Late payment charges are assessed for overdue water bills that are not paid within 25 days from the postmarked date, or 25 days from the e-bill notification date. The interest rate charged will be the interest rate established for delinquent taxes by the State Treasurer.

5) Multi-unit Properties

Lien Charges for Multi-Unit Properties

The District may enforce its lien rights in accordance with 35-A M.R.S.A, Section 6111-A to collect a past due water bill. A \$58 charge covering lien notification, preparation, filing, and processing will be added to the past due amount, and included as part of the lien filing.

Disconnection of Multi-Unit Properties

Before disconnection of a single meter, multi-unit property, for non-payment of basic service, the District will:

- Mail a disconnection notice to the customer in accordance with Chapter 660 guidelines.
- Post a disconnection notice at or near the front and rear entrances of the affected building(s), to inform tenants how service can be continued. The disconnection notice will be posted at least 10 days prior to disconnection of the water service.
- In lieu of filing a water lien, the District will notify the appropriate participating sewer municipality, if applicable, of the pending disconnection to provide it an opportunity to solicit payment from the owner. If the bill remains delinquent and the municipality does not relocate the tenants and seeks to have water restored, the District will restore the water either per a court order, or if the municipality pays the District for the delinquent water balance and accepts a transfer of the delinquent sewer balance.

The District may authorize separate metering of each dwelling unit at the landlord's expense, if the dwelling is disconnected for nonpayment of an overdue amount.

6) Deposits

The interest rate paid on all deposits will be in accordance with Chapter 870 of the Commission's Rules and Regulations.

The amount of the deposit will be based on the amount of the basic service in accordance with Chapter 660 guidelines.

7) Charge for Payments Returned

A charge will be made to the account of any customer whose check is returned by the bank for reason of insufficient funds or incorrect bank information. The charge shall be the greater of \$5.00 or an amount equal to the actual bank charges. The utility will furnish the customer with proof of any bank charges in excess of \$5.00.

8) Charge for Testing Cross Connection Backflow Device _____

~~Section removed. A cross connection device must be operated to the standards outlined in the District's cross connection control program as approved by the State of Maine's Department of Health and Human Services. An annual test of the device must verify compliance with the program. The customer must inform the District of the test results.~~

~~If the customer requests the District to perform the test, the charge to test one cross connection backflow device at a customer's premise is \$90.00. Each additional device tested concurrently in the same building shall be charged at the rate of \$45.00 each.~~

Effective Date: ~~June~~ April 1, 2018 ~~2022~~
PWD Resolution ~~18-005~~ 22-005

By: David Kane, Treasurer

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

9) Charge to Flow Test Hydrants

For a hydrant flow test to generate the static pressure, residual pressure and the water flow for a single hydrant, the charge is \$209.00. For each additional hydrant flow test concurrently administered at the same site, an additional \$41.00 will be charged.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

10) Charges for Replacement of Damaged Water Meters

The charges to customers for costs incurred for the replacement of meter(s) one inch or less damaged due to improper care by customers are as follows:

Meter Size	Charges to Replace During **Normal Business Hours	**Other Hours*
Meters up to 2 1 inch	\$69.00 + cost of meter	\$158.00 + cost of meter

*Reflects minimum three-hour call out and overtime rate.

** Refer to T & C 40 for definition of Normal Business Hours and Other Hours

All meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at Actual Cost. This cost shall be adjusted accordingly for requests that are received outside of Normal Business Hours.

~~Meters larger than one two inches will be billed the actual cost of replacement.~~

11) Rebate Policy

The District may rebate a portion of a customer's bill for leakage. The rebate will only be available one time during a five-year period on each account. Proof may be required to substantiate the leakage and repair. The rebate will be based upon deducting one-half of the billing in excess of normal usage. In no event will the rebate apply to leakage that occurred more than one year prior to the time the customer notifies the District of the leakage.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

12) Faulty Remote Meter Adjustment Policy

If the District finds that a remote reading meter has under reported actual usage, it will abate one-half of the difference between the actual usage and the remote reading. However, the amount rebated cannot exceed the previous year's usage.

13) Liability

13-A Liability

The District will only be liable for any damages arising from any claim by a customer to the extent liability is expressly provided in the Maine Tort Claims Act as set forth in Title 14, Chapter 741 of the Maine Revised Statutes Annotated. The District makes no representations or warranties about the suitability of any water provided by the District for any particular purpose.

13-B Interruption of Service

The District will provide notice of any shut off to affected customers in accordance with Board Policy 620(2)(G) and will make a prorate reduction in the customer's bill as provided in that subsection.

14) Water Service - General

To qualify for new water service, all applicants must demonstrate a need for water service that meets the conditions contained herein.

The application for a new water service shall include at a minimum:

- A project description (i.e., type of use, project location, project schedule, etc.).
- A site plan showing the location of the proposed service.
- An inventory of all water fixtures in the building to be served.

~~The applicant for a new water service shall provide upon request from the District, the name of the installing contractor, an approximate date of installation, a lot location or site plan, and the estimated maximum gallon per minute demand for this service.~~ The service pipe on private property shall be adequately sized according to District standards, and rated at withstanding 160 pounds per square inch of working pressure.

Proposed Effective Date: ~~November~~ April 1, 2009

By: David Kane, Treasurer

Effective Date: ~~December~~ April 01, 2009

Docket Number: 22-00509-295

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

14.1) **CONDITIONS FOR WATER SERVICE**

- (a) All water service lines must conform to Portland Water District Policy 620: Water Service Standards. New water service must be established from a water main having direct frontage to the lot or building being served.
- (b) Multiple buildings on a single lot all owned by a single entity may be served by a single water service with a single meter installed in accordance with other provisions herein. When there are multiple detached buildings on one lot served by one service line, PWD may require a covenant ~~must to~~ be recorded in the Cumberland County Registry of Deeds affirming that if the lot is ever subdivided, an independent water service shall be installed and operational for each building.
- ~~(e)~~ If a single building is ever split into more than one unit, utilizing a party wall, each unit will be required to have an independent water service at the time that the split occurs and the additional units are created. If the split has occurred prior to service being provided (ie duplex construction), an independent water service must be established to each individual unit prior to new service activation.
- ~~(c)~~
- ~~(d)~~ If water service to a new building or lot cannot be obtained without crossing the property of another then one or more permanent easements for water facilities, having terms acceptable to the District, must be created and recorded in the Cumberland County Registry of Deeds, for the benefit of the District and all new owners. Granting water service through an easement shall be at the discretion of the District.
- ~~(d)~~
- ~~(e)~~ The District may require, in its discretion, that customers bring their service into conformance with current District standards if the following occurs:
- ~~(e)~~
 - 1. Changes in water demand or use that necessitate a change in service line or meter size changes.
 - 2. The addition of an irrigation system to an existing domestic service lines.
 - ~~3.~~ The installation or upgrade of a fire sprinkler system or the addition of a private hydrant to an existing service line
 - 3.
- ~~(f)~~ Customers shall comply with the District's Water Service Standards Policy enacted by the District's Board of Trustees. The District reserves the right to suspend water service to a customer until the service line setup meets current District standards.
~~Customers shall be required to notify the District of any change in water demand. The District reserves the right to suspend water service to a customer until the service line setup meets current District standards.~~

~~(f) Customers shall comply with the District's Water Service Standards Policy enacted by the District's Board of Trustees.~~

Effective Date: ~~June~~ April 1, 2022+8
PWD Resolution ~~18-005~~22-005

By: David Kane, Treasurer

SHEET 5
REVISION 6

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

15) Isolation Valve

Every service must be equipped with operable isolation valves, with one valve above and one valve below the meter. The valves and meter shall be protected from freezing either within a building or inside a meter pit. All piping shall be arranged to prevent backsiphonage and to permit drainage whenever necessary. The isolation valves shall be owned and maintained by the customer.

15.2) By-Pass Valve

Effective February 1, 2008 customers desiring a by-pass valve must file an application for such valve with the District. Services shall be equipped with a by-pass valve only if the meter is 1.5" or larger, and if the applicant can document a need for business continuity to the satisfaction of the District. A by-pass valve shall be owned and maintained by a customer; it shall only be installed after the approval by the District, and shall be sealed shut. It can only be operated with the consent or approval of the District. In the event that the by-pass valve is unsealed or operated without the consent or approval of the District, the District, in its discretion, may require removal of the by-pass valve at the customer's expense.

16) Cross-Connections

No cross connection between the public water supply and any other supply will be allowed unless properly protected and supervised in accordance with the Department of Human Services rules, the District's formal Cross Connection Control Program, and the PWD Board of Trustees Policy 620.

17) Maintenance of Plumbing

To prevent leaks and damages, all customers shall maintain at their own expense the plumbing and fixtures within their own premises in good repair and protect them from freezing. In the event of a frozen service, the District will inspect and determine where the service line is frozen. All costs associated with inspecting and thawing a frozen service line on private property shall be borne by the customer. All costs associated with inspecting and thawing a frozen service line in the public right of way shall be borne by the District.

18) Fluctuation of Pressures by Customer's Apparatus

No customer shall install or use a water consumption apparatus that will affect the District's pressure or operating conditions so as to interfere with the service of another customer. If a customer has, or proposes to install an apparatus which requires water in sudden and/or material quantities, the District reserves the right to require the customer to install devices or apparatuses, which will confine such fluctuations of demand or reduction of pressure within reasonable limits as determined by the District.

If the customer, after receiving written notice from the District, fails to present an acceptable remedial plan within a time limit set by the District, service will be discontinued pursuant to provisions of the Public Utilities Commission's Chapter 660.

SHEET 6
REVISION 7

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

19) Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves

All customers having direct pressure water devices, including but not limited to booster pumps, hot water tanks, or secondary systems supplied by automatic feed valves, shall install and maintain at their own expense appropriate vacuum, temperature, pressure relief valves, and lower water cutouts in their water system to prevent damage. Water service supplied to any customer not providing such protective devices will be strictly at the risk of the customer, and the District will not be held liable for damage resulting from lack of or failure of such protective devices.

20) Access to Premises

Employees of the District, shall have free access at all reasonable hours to all premises served by the District by providing proper identification to either the customer or owner. The District's employees, with authority from the customer or the owner, will be permitted to inspect all plumbing and fixtures, to set, remove, or read meters, to ascertain the amount of water used and the manner of use, and to enforce these terms and conditions.

21) Unauthorized Use of Water

No customer shall supply water to another customer, nor shall water be used for any other purpose except normal domestic usage and fire protection without District approval. No unauthorized person shall obtain water from a hydrant or other District fixture without prior District consent.

PORTLAND WATER DISTRICT

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22) Seasonal Customer

A seasonal customer regularly takes service for only a portion of the year from either a surface or deep main. A seasonal customer will be subject to seasonal rules and rates. An initial bill will be generated and no additional charges will be assessed unless the consumption, upon closing the account, exceeds the usage allowed in the seasonal rate. When the account is closed the meter must be removed and the water service must be disconnected. Seasonal customers served by a surface main shall be provided water service between May 1 and October 15.

If a non-seasonal customer on a deep main vacates the premises for 3 months or less, and elects to remain on monthly rates, the District must be notified in writing. The account will be closed. The customer's meter must be removed and the water service disconnected. Upon request to establish the service again, a reconnection fee pursuant to Section 3 of these Terms and Conditions will be charged.

23) Water Meters and Meter Reading Device

The District will install one meter per service line. Meters must be installed in a safe, clean, dry, warm area at the service entrance and must be readily and safely accessible to District representatives. Maintenance of all District meters is provided at the District's cost. If additional auxiliary, or memo meters are required by the customer for calculating subdivision of water supply, they shall be purchased, installed, and maintained by the customer.

The District shall install meter reading devices for meters owned by the District. The most beneficial location of this device, for efficient and safe meter reading purposes, will be determined by the District.

PORTLAND WATER DISTRICT

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24) Meter Maintenance and Accuracy

The District has a program that repairs, tests, and replaces(if necessary) all meter sizes on the following service periods:

5/8” through 2”	20 Years
3 “	4 Years (field)
4”	2 Years(field)
6” and larger	1 Year (field)

Meters are tested in conformance with Section 3G. of the District’s Water Service Standards Policy enacted by the Board of Trustees. Customer requests to test a water meter for accuracy are accommodated by the District without charge once every 18 months. More frequent tests of meters larger than one inch are at the customer’s expense based on the District’s actual costs. More frequent tests of meters one- inch or smaller are subject to a \$121.00 charge. It is recommended that the customer witness the meter test. If a meter is determined to be malfunctioning, the customer bill shall be adjusted according to the average historical usage

PORTLAND WATER DISTRICT

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25) Closing Metered Accounts

To close an account, the District may require the meter to be removed and the service shut at the curb stop.

Upon closing the account, the customer requesting the account be closed shall pay for the cost of removing the meter if no one else is taking responsibility for billing and if the District is not provided access to retrieve the meter or the meter can not be located on the customer premises. The fee charged shall be the fees noted in section 10 of these Terms and Conditions. If the customer does not have the ability to provide access to the meter, the fee shall not be charged. The fee shall be refunded to the customer if another customer takes responsibility for the account or the meter is retrieved subsequently.

When the customer requests the District to close the account, and there is no new customer taking service, the outgoing customer is responsible to make arrangements for removal of the meter. Failure to obtain the meter will result in billing the outgoing customer the fees noted in Section 10 of these Terms and Conditions. The fee will be refunded if the meter is subsequently obtained and is not damaged

PORTLAND WATER DISTRICT

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26) Meter Pit Policy

The District may require the customer of a property to supply, install, and maintain a meter pit(s) to District specifications at the customer's expense as a condition of service when:

- a. The actual laying length of the service pipe measures over 300' from the street line.
- b. The service location makes discovery of a possible leak unlikely.
- c. The use of service pipe deemed by the District to be inferior makes the possibility of a leak likely. (Copper pipe must be type K; plastic pipe must be rated 160 PSI.)
- d. A single service supplies two or more units with no suitable common area (accessible independently of any individual tenant/owner) in which to install the meter.
- e. A property of two or more units is supplied through multiple services, any one of which is located in front of, or enters a unit other than, the one it serves.
- f. The customer does not provide a clean, warm, dry, and safely accessible location for the meter and its appurtenances.
- g.
- h. The customer does not furnish an otherwise suitable location for a meter inside the customer's building.
- i.

All meter pits shall be installed on the customer's property and installed as follows:

- a. In such manner to keep the meter pit clean and dry at all times.
- b. In such manner to allow District representatives to have access to the meter pit.
- c. In such manner that all confined space entry equipment can be safely utilized in accordance with OSHA standards for confined space entry.
- d. In such manner to conform to District Standards and Specifications..

The customer shall be responsible for maintaining the meter pit at its cost such that it can accommodate the District's meter.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

27) Size of Water Distribution Mains

The District provides water for domestic and fire protection purposes. The District requires all distribution water mains be adequately sized in accordance Policy 650: Water Main Extension and Service Line Rule enacted by the Board of Trustees.

28) Winter Construction

No new public water mains or services will be installed during winter conditions unless specifically approved by the District. The customer assumes all extra expenses over the ordinary construction expense.

29) Fire Hydrants

Fire hydrants may not be used for any purpose other than extinguishing fires, training purposes, or for such other purposes as may be agreed upon by the District and the municipality or owner of a private hydrant. In no case shall fire hydrants be operated by a person other than an agent of the District, except when used for fire protection or training purposes.

If the District approves a request for a hydrant meter, unless otherwise authorized, the District will install and will assess a fee of \$100 if installed and removed during normal business hours and \$165 if installed during non-business hours.

30) Private Fire Protection

Customers requiring private fire protection should contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expense within the bounds of the public way or right-of-way. The fire service line, after installation, will be owned and maintained in the public way or right-of-way by the District. The District does not guarantee any quantity of water or pressure available through a fire protection service. The owner of such service shall determine the adequacy of supply through the fire service by conducting tests of the private system. The District must be given timely notice so a representative of the District can be present to observe the test.

PORTLAND WATER DISTRICT

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31) Tampering With District Property

There shall be no tampering with District property. No District owned valve, shut-off, hydrant, or standpipe shall be opened, closed, or otherwise operated by any person other than District authorized persons.

32) Commission Appeal

Disagreements or disputes regarding the application of Terms and Conditions relating to water service standards, water line standards, or water main extension standards shall be decided by the District's Board of Trustees.

Disagreements or disputes regarding the application of Terms and Conditions or relating to Chapter 660 of the Rules of the Public Utilities Commission shall be decided by the Public Utilities Commission.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

33) LOW-INCOME CUSTOMER ASSISTANCE PROGRAM

33-A) General Program Description

1. The District is supporting, in conjunction with City of Portland (COP) a program to provide financial assistance to low-income residential customers for the purpose of taking positive steps towards reducing water consumption to make water more affordable.
2. The District has authorized COP to administer a program to repair, replace or install plumbing fixtures and water saving devices with regard to the following:
 - leaking or broken water pipes
 - toilets
 - hot water tank
 - kitchen faucets
 - bathtub faucets
 - showerheads
 - outside faucets
 - toilet dams
 - low-flow devices
3. This program will be offered to all qualified residential customers of the District.

33-B) Program Participation Requirements

1. A qualified residential customer must:
 - a. Own and occupy a year-round residence within the District service area.
 - b. Be low-income qualified, by showing evidence of having an annual household income that is 80% of area median income (AMI) as defined by US HUD.

PORTLAND WATER DISTRICT

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2. Must demonstrate through a home audit provided by COP, a need for the program's services.

33-C) General Provisions

1. The dwelling unit owner must agree to leave in place at the premises any water saving measures installed under this program.
2. COP will determine customer eligibility, complete a home audit, develop a remediation plan, subcontract work to be completed, and inspect completed work.
3. Qualified applicants will be assisted on a first come, first served basis up to the allocated amount provided to the program by the District. Exceptions will be made at the discretion of COP for emergency situations that jeopardize health or safety.
4. The District will fund this program on an annual basis and reserves the right to discontinue program support at any time.

33-D) Miscellaneous

1. The District along with municipalities, COP Central Intake and Outreach staff, Human Service organizations, and the public at large, will refer homeowners to COP for qualification.
2. All specific services provided by this program will be delivered to qualified participants at no cost to the participant.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

**34) DISCONNECTION PROCESS FOR OVERDUE COMBINED
WATER AND MUNICIPAL SEWER BALANCES**

34-A) Policy: The District, as sewer billing agent for participating municipalities, will issue a disconnection notice to delinquent customers that may result in the disconnection of water service pursuant to Section 34-D of these Terms and Conditions

34-B) Definitions: Service Classification - “Service classification” includes water and sewer services billed as residential, commercial, industrial, and governmental accounts.

Total Amount Due - “Total Amount Due” means the total water and sewer amount owed by a customer that has been properly billed.

Total Amount Overdue – For the purpose of issuing a disconnection notice, “Total Amount Overdue” means the total water and sewer amount billed to a customer that is greater than \$100.00 and more than 50 days old. For the purpose of assessing a late fee, “Total Amount Overdue” means the water and sewer balance that has not been paid within 25 days of the bill postmark date, or 25 days from the electronic notification date of the e-bill

34-C) Billing: Bills shall be issued in accordance with applicable sections of Public Utilities Commission Chapters, i.e. Chapters 660 and 870, and the Portland City Code, Section 24.

34-D) Disconnection and Reconnection: A 14-day disconnection notice shall be issued to a delinquent customer when the Total Amount Overdue is greater than \$100.00 and more than 50 days old, the account is not on an active payment arrangement, and the account is not on dispute. A 3 business day disconnection notice shall be issued for the Total Amount Due when a customer does not comply with the terms of the established payment arrangement and the account is not on dispute

When a customer has received a 14 day disconnection notice and makes a partial payment that reduces the Total Amount Overdue to \$100.00 or less, the customer will be subject to disconnection until the Total Amount Overdue is paid in full, or the customer makes a payment arrangement. When a customer has received a 3 business day disconnection notice due to a broken payment arrangement, and makes a partial payment on the installment amount, the customer is subject to disconnection until the installment amount is paid in full

34-E) Payment Allocation: In the event that a payment is received by the District which does not clearly indicate whether the payment is for water or sewer, the payment shall be applied to the oldest outstanding basic service bills.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

34-F) Payment Arrangement: The District shall offer a Regular Payment Arrangement to customers who cannot pay the Total Account Balance in accordance with Chapter 660 and these Terms and Conditions.

34-G) Dispute Resolution: Disputes related to Chapter 660 of the Rules of the Public Utilities Commission shall be resolved in accordance with the Rules of the Public Utilities Commission.

The District shall accept and respond to inquiries and complaints related to the amount or composition of charges. The appropriate municipality shall accept and respond to inquiries and complaints relating to the sewer collector system or the Municipality's Sewer Ordinance.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

35 Chapter 670 Credit for Water to Metered Customers and Municipal Fire Service Customers

In order to implement a credit for all customers pursuant to Chapter 670 of the PUC Rules, the District shall provide a one-time credit on all active customer bills mailed on or after July 3, 2000 until each customer receiving a bill during the month of July, 2000 has received the one-time credit. The amount of the credit shall be equal to 6.78% of the customer's 1999 annual water net billings. If this one-time credit exceeds the total amount due on the July bill, the unused credit shall be applied to the customer's future bills.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

36. New Customer Activation Fee

The customer shall pay a \$17.00 fee when the customer requests a change to an existing account causing an additional customer account record to be created.

37. New Main Extension Application Fee

This Section defines the fees and deposits associated with requests for new water main extension projects. Fees and deposits are dependent on the scope of the project and shall be determined by the District. Payment for fees and deposits are required to be submitted with a completed Main Extension Agreement. All deposits shall be reconciled by the District at the time of Final Completion.

- **Main Extension Application Fee.** All new main extension projects shall carry a non-refundable \$212.00 application fee.
- **Planning and Engineering Fee.** Applicants for main extension projects shall be responsible for a Planning and Engineering fee equal to \$600.00 per work day spent assisting in the design of the project.
- **Valve Box Deposit.** Applicants shall provide a \$25.00 deposit for each valve box installed as part of a main extension project, to be returned at final inspection if the valve boxes are appropriately raised.
- **Fire Protection Deposit.** Applicants shall provide a Fire Protection Deposit related to the portion of the water main installed without a public hydrant. The Deposit shall be \$8.00 per linear foot in Scarborough and Raymond, and \$4.00 in all other municipalities in the PWD Service Area.

~~An applicant requesting a main extension shall pay a \$212.00 fee when the applicant submits the request for the main extension.~~

38. New Meter or Service Fee

This Section defines the fees and deposits associated to requests for new water services. Fees and deposits are dependent on the scope of the new water service project and shall be determined by the District. Fees and deposits are required to be submitted with a completed Application for New Service. Deposits related to Service Inspection shall be reconciled by the District at the time of service installation, and deposits related to Service Activation shall be reconciled by the District at the time of Service Activation.

- **Service Application Fee.** All new services shall carry a non-refundable \$64.00 application fee.

- ~~• **Inspection Fee/Deposit.** The Applicant shall provide a deposit for the cost of inspection of the installation of the new service. Depending on the size of the new service, and how many services are be installed in the project, the fee will either be a Flat Rate or Actual Cost.~~

Effective Date: ~~June~~April 1, 201822
PWD Resolution ~~18-005~~22-005-

By: David Kane, Treasurer

SHEET 16.1
REVISION 98

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

- ~~• **Inspection Fee/Deposit.** The Applicant shall provide a deposit for the cost of inspection of the installation of the new service. Depending on the size of the new service, and how many services are be installed in the project, the fee will either be a Flat Rate or Actual Cost.~~
 - ~~○ **Flat Rate (Fee).** All new services that are 2-inches or less in diameter and that are the only service installed in a project will carry a Flat Rate fee of \$197.00 for inspection.~~
 - ~~○ **Actual Cost (Deposit).** All new services that are greater than 2-inches in diameter and/or those that are one of multiple services installed as part of a project shall be inspected at Actual Cost. This shall also apply to projects where an existing service must be retired as a condition of service installation.~~
- ~~• **Meter Fee.** The Applicant shall provide the cost of the new meter associated to a new domestic service. The cost of the water meter is defined as the meter cost, ERT (remote reader) cost, typical plumbing fitting costs, and a \$25.00 inventory overhead fee.~~
 - ~~○ **Existing Meters.** In a situation where a new domestic service is installed to a Lot, and that Lot has previously had a domestic water service and a meter that has since been recovered in good working condition by the District, the cost of that existing meter shall be accounted for in the Meter Fee for the new service. When determining the cost of the existing meter, current meter prices will be used.~~
- ~~• **Meter Installation Fee/Deposit.** The Applicant shall provide a deposit for the cost of installing the meter for all new domestic services. Depending on the size of the new meter, the fee will either be a Flat Rate or Actual Cost.~~
 - ~~○ **Flat Rate (Fee).** All new meters that are 2-inches and smaller and that are not being installed in a confined space meter pit/vault will carry a Flat Rate fee of \$69.00 for installation.~~

- **Actual Cost (Deposit).** All new meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at Actual Cost.

Effective Date: ~~June~~April 1, 201822

By: David Kane, Treasurer

PWD Resolution 48-00522-005-

- ~~● **Water Sample Fee.** New domestic services that are 2-inches or greater in diameter require a water sample. This also applies to domestic services installed in a parent/child configuration (i.e., a new domestic service that takes from a fire service rather than a water main). The cost of that water sample shall be \$175.00, to be provided by the Applicant.~~
- ~~● **Meter Pit Inspection Deposit.** New domestic services that are installed with a meter pit or vault carry an inspection charge to ensure the pit/vault meets District specifications. This inspection time shall be assessed at Actual Cost.~~

SHEET 16.2
REVISION 98

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

PORTLAND WATER DISTRICT

- **Water Sample Fee.** New domestic services that are 2-inches or greater in diameter require a water sample. This also applies to domestic services installed in a parent/child configuration (i.e., a new domestic service that takes from a fire service rather than a water main). The cost of that water sample shall be \$175.00, to be provided by the Applicant.
- **Meter Pit Inspection Deposit.** New domestic services that are installed with a meter pit or vault carry an inspection charge to ensure the pit/vault meets District specifications. This inspection time shall be assessed at Actual Cost.
- **Fire Service Activation Fee.** All new fire services that are installed carry a \$49.00 fee to activate the service.
- **Private Hydrant Inspection Deposit.** New private fire hydrants installed on fire services must be inspected by the District prior to activation of the hydrant. This inspection time shall be assessed at Actual Cost.

- **Initial Backflow Inspection Fee.** All new Backflow Prevention Devices must be inspected prior to service activation. The District will perform the initial test of the device at the time of service activation and meter set. The inspection shall carry a fee of \$90.00 for the first device tested, and carry a fee of \$45.00 for each subsequent device to be tested.
- **DOT Highway Opening & Utility Location Permit Fee.** All fees associated to permits required to install a new water service in a State Highway shall be assessed by the District to the Applicant.
- **Inspection of new Public Infrastructure Deposit.** Occasionally a new service project will include the installation, removal, or relocation of public infrastructure (e.g., relocation of an existing hydrant). Inspection of this portion of a project is tracked separately and is assessed at Actual Cost.

Effective Date: ~~June~~ April 1, 2022+8
PWD Resolution ~~18-005~~ 22-005

By: David Kane, Treasurer

SHEET 16.3
REVISION 98

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

- **Installation of Services as Part of a District Renewal Project Fee.** During a District organized water main renewal project, property owners who have frontage on the water main being renewed may request new services to their properties be added to the project. Addition of these services to the project is at the discretion of the District and their Contractor. If these services are added to the project, the cost of installation shall be determined by the District's Contractor and assessed to the Applicant through the Application.
- **Customer Contribution Fee.** As outlined in Portland Water District Board of Trustees Policy 650, new services installed on water mains that are less than 10-years old carry a Customer Contribution Fee. This fee is to be determined by the District per Policy 650 and assessed to the Applicant, to then be conveyed back to the original Developer of the water main.

~~PORTLAND WATER DISTRICT~~

~~TERMS AND CONDITIONS~~

~~PORTLAND WATER DISTRICT~~

~~When submitting an Application for new service, the Applicant shall be considered the owner of the building or Lot to be served. The Application shall be signed and dated by the Applicant.~~

~~A deposit for the required fees associated with that Application may be provided by the Applicant or a separate entity in their project team. If an entity other than the Applicant provides the required deposit, that entity must sign the Application as the Depositor. Reconciliation of all deposits will be processed with the Depositor.~~

~~An applicant requesting a new service shall pay a \$64 fee when the applicant submits the request for the new service.~~

~~New customers shall pay the following fees when requesting a single service connection that is 2 inches or smaller:~~

Size	Service Inspection	Water Sample (Applied to 2" services only)	Water Meter Installation (Applies to 2" or smaller meters that are not installed in meter pits)
2 inch or smaller	\$186.00	\$175.00	\$69.00 + cost of meter

~~For applicants requesting multiple service connections, larger sized services or meters, meter installations in meter pits, projects only involving retirement of existing service(s), or other special circumstances, the District shall charge the applicant the District's actual cost of the work performed. The cost of the water meter is defined as the meter cost, ERT (remote reader) cost, typical plumbing fitting costs, and a \$25.00 inventory overhead fee. For larger size services and meters and special circumstances, the District shall charge the customer the actual cost of installation.~~

39. Time Period for “Make-Up” Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud

For residential and commercial accounts, the District may issue a “make-up” bill for service that was previously unbilled because of unauthorized use or fraud by the customer for service that occurred up to six (6) years before the issuance of the “make-up” bill”.

Effective Date: ~~June~~April 1, 2018
PWD Resolution ~~18-005~~22-005

By: David Kane, Treasurer

PORTLAND WATER DISTRICT
TERMS AND CONDITIONS

40) Office Hours, Normal Business Hours, Other Hours and Emergency Hours

Office Hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Office hours may change due to training, staffing, weather conditions, etc.

Normal Business Hours, for the purpose of charging reconnection and damaged meter fees, are 7:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

Other Hours, for the purpose of charging reconnection and damaged meter fees, are 4:30 p.m. to 7:30 a.m. Monday through Friday, holidays, Saturday and Sunday.

Emergency Hours are 24 hours a day, seven days a week.

41) Temporary Water Service

A customer can apply for temporary water service in support of project delivery. Temporary service will be established from the customer's domestic water service line only. The District will supply the temporary service assembly for the customer to install and maintain once service line installation and passing of pressure and purity tests is complete. The customer will be charged for the water consumption in addition to an inspection fee of \$100 for each installation of the temporary service assembly. Temporary water service shall be granted on a limited basis depending on the availability of temporary service assemblies and the requested duration of use. Details of the temporary water service can be acquired from Customer Service.

PORTLAND WATER DISTRICT

TERMS AND CONDITIONS

42) Water Supply Emergency

Customers who fail to implement mandatory water conservation and/or utilization restrictions during a District declared water supply will be subject to a fee on the customer's next water bill equal to twice the general reconnection fee, per the Portland Water District Board of Trustees Policy 620. Each 24-hour period for which the customer is not in compliance with the water company's water conservation and/or utilization restrictions constitutes a separate violation. The District ~~company~~ may disconnect customers for repeated violations of the water company's water conservation and/or utilization restrictions.

TERMS & CONDITIONS

Filed at the Office of the Public Utilities Commission
As Amended April 1, 2022

PORTLAND WATER DISTRICT

225 Douglass Street, Portland, Maine

TERMS & CONDITIONS

These Terms and Conditions produced by the Portland Water District, and accepted by the Maine Public Utilities Commission will govern and guide the District in the operation of its business.

All District provision of service and credit and collection procedures in these Terms and Conditions will conform and be based upon rules of the Maine Public Utilities Commission except as hereinafter noted.

Except as explicitly provided herein, these Terms and Conditions are not intended to modify any rights or duties of the District or any customer or any authority of the Public Utilities Commission under any provision of Maine law, including Title 35-a of the Maine Revised Statutes Annotated or the rules and regulations of the Maine Public Utilities Commission.

REVISION TABLE

Date	PWD Resolution	Sections	Description
<i>MM/DD/YYYY</i>	<i>XX-YYYY</i>	<i>1, 2, 3 ... 8, & 9</i>	<i>Brief description of changes implemented.</i>

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SECTION 100 - GENERAL

Section 110. ~~Commission Appeal~~Appeals Process

Disagreements or disputes regarding the application of Terms and Conditions relating to water service standards, water line standards, or water main extension standards shall be decided by the District's Board of Trustees.

Disagreements or disputes regarding the application of Terms and Conditions or relating to Chapter 660 of the Rules of the Public Utilities Commission shall be decided by the Public Utilities Commission.

Section 120. Office Hours, Normal Business Hours, Other Hours and Emergency Hours

Office Hours are 8:00 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Office hours may change due to training, staffing, weather conditions, etc.

Normal Business Hours, for the purpose of charging reconnection and damaged meter fees, are 7:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

Other Hours, for the purpose of charging reconnection and damaged meter fees, are 4:30 p.m. to 7:30 a.m. Monday through Friday, holidays, Saturday and Sunday.

Emergency Hours are 24 hours a day, seven days a week.

Section 130. Access to Premises Served by PWD

Employees of the District, shall have free access at all reasonable hours to all premises served by the District by providing proper identification to either the customer or owner. The District's employees, with authority from the customer or the owner, will be permitted to inspect all plumbing and fixtures, to set, remove, or read meters, to ascertain the amount of water used and the manner of use, and to enforce these terms and conditions.

Section 140. Tampering With District Property

There shall be no tampering with District property. No District owned valve, shut-off, hydrant, or standpipe shall be opened, closed, or otherwise operated by any person other than District authorized persons.

Section 150. Unauthorized Use of Water

No customer shall supply water to another customer, nor shall water be used for any other purpose except normal domestic usage and fire protection without District approval. No unauthorized person shall obtain water from a hydrant or other District fixture without prior District consent.

Section 151. Unauthorized use/Theft of service Charge

If District personnel expend time investigating and documenting a diversion of water by a customer, the customer shall be responsible for all documented costs of investigation and adjustment incurred by the District, unless fees are otherwise recovered pursuant to 35-A M.R.S. § 2705. For purposes of this section, Diversion shall mean the diversion of flow around the meter to evade charges as well as the unauthorized reconnection of service by a customer or his/her representative after water has been shut off due to nonpayment.

Section 160. Liability

The District will only be liable for any damages arising from any claim by a customer to the extent liability is expressly provided in the Maine Tort Claims Act as set forth in Title 14, Chapter 741 of the Maine Revised Statutes Annotated. The District makes no representations or warranties about the suitability of any water provided by the District for any particular purpose.

Section 170. Water Supply Emergency

Customers who fail to implement mandatory water conservation and/or utilization restrictions during a District declared water supply will be subject to a fee on the customer's next water bill equal to twice the general reconnection fee, per the Portland Water District Board of Trustees Policy 620. Each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation. The District may disconnect customers for repeated violations of the water company's water conservation and/or utilization restrictions.

SECTION 200 - BILLING

Section 210. Billing and Payment Procedures

The due date of a bill must be at least 25 days after the bill is mailed or otherwise delivered to the customer. A bill is considered “mailed” on the date the bill is postmarked. If there is no postmark (as with an electronic bill) the District will send the electronic notification to the customer no more than 1 day after the bill date.

Bills may be rendered monthly, bimonthly, quarterly, or by the season at the option of the District. Metered minimum charges and private fire service charges, except for seasonal main charges, may be prorated for the exact number of days of service when service is open or closed.

The customer will be responsible for providing a correct billing address or email address if bill notification is received electronically. Failure to receive a bill does not relieve the customer of the obligation of its payment, nor from the consequence of nonpayment.

Applicants or customers may notify the District in writing if they wish to designate a Third Party to receive copies of customer bills and disconnection notices.

When a billing error is discovered the District will have up to 90 days to correct the error.

Section 211. Seasonal ~~Customer~~Billing Procedures

A seasonal customer regularly takes service for only a portion of the year from either a surface or deep main. A seasonal customer will be subject to seasonal rules and rates. An initial bill will be generated and no additional charges will be assessed unless the consumption, upon closing the account, exceeds the usage allowed in the seasonal rate. When the account is closed the meter must be removed and the water service must be disconnected. Seasonal customers served by a surface main shall be provided water service between May 1 and October 15.

If a non-seasonal customer on a deep main vacates the premises for 3 months or less, and elects to remain on monthly rates, the District must be notified in writing. The account will be closed. The customer’s meter must be removed and the water service disconnected. Upon request to establish the service again, a reconnection fee pursuant to Section 3 of these Terms and Conditions will be charged.

Section 220. New Customer Activation Fee

The customer shall pay a \$17.00 fee when the customer requests a change to an existing account causing an additional customer account record to be created.

Section 230. Late Payment Charges

Late payment charges are assessed for overdue water bills that are not paid within 25 days from the postmarked date, or 25 days from the e-bill notification date. The interest rate charged will be the interest rate established for delinquent taxes by the State Treasurer.

Section 231. Collection Charge for Past Due Bills

If District personnel visit the customer's premises to disconnect service for nonpayment and in lieu of actual disconnection, the customer pays or makes a payment arrangement for the entire balance due the District will charge a collection fee \$23.00.

~~Section 5. Multi-unit Properties~~

Section 232. Lien Charges for Multi-Unit Properties

The District may enforce its lien rights in accordance with 35-A M.R.S.A, Section 6111-A to collect a past due water bill. A \$58.00 charge covering lien notification, preparation, filing, and processing will be added to the past due amount, and included as part of the lien filing.

Section 233. Disconnection of Multi-Unit Properties

Before disconnection of a single meter, multi-unit property, for non-payment of basic service, the District will:

- Mail a disconnection notice to the customer in accordance with Chapter 660 of the Maine Public Utilities Commission Rules guidelines.
- Post a disconnection notice at or near the front and rear entrances of the affected building(s), to inform tenants how service can be continued. The disconnection notice will be posted at least 10 days prior to disconnection of the water service.
- In lieu of filing a water lien, the District will notify the appropriate participating sewer municipality, if applicable, of the pending disconnection to provide it an opportunity to solicit payment from the owner. If the bill remains delinquent and the municipality does not relocate the tenants and seeks to have water restored, the District will restore the water either per a court order, or if the municipality pays the District for the delinquent water balance and accepts a transfer of the delinquent sewer balance.

The District may authorize separate metering of each dwelling unit at the landlord's expense, if the dwelling is disconnected for nonpayment of an overdue amount.

Section 234. Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings

Pursuant to Chapter 660 of the Maine Public Utilities Commission Rules, before the Utility disconnects service to a leased or rented single meter, multi-unit dwelling, the Utility will:

- a) Apply any existing deposit to the current account balance,
- b) Assess against the landlord a collection fee of \$100.00 in addition to any applicable reconnection fee set forth in Section 3 of these Terms and Conditions.

Section 235. Disconnection Process for Overdue Combined Water and Municipal Sewer Balances

The following section outlines the Terms and Conditions related to the disconnection process for overdue combined water and municipal sewer balances

Section 235.1. Policy

The District, as sewer billing agent for participating municipalities, will issue a disconnection notice to delinquent customers that may result in the disconnection of water service pursuant to Section 34-D of these Terms and Conditions

Section 235.2. Definitions

- Service Classification - “Service classification” includes water and sewer services billed as residential, commercial, industrial, and governmental accounts.
- Total Amount Due - “Total Amount Due” means the total water and sewer amount owed by a customer that has been properly billed.
- Total Amount Overdue – For the purpose of issuing a disconnection notice, “Total Amount Overdue” means the total water and sewer amount billed to a customer that is greater than \$100.00 and more than 50 days old. For the purpose of assessing a late fee, “Total Amount Overdue” means the water and sewer balance that has not been paid within 25 days of the bill postmark date, or 25 days from the electronic notification date of the e-bill.

Section 235.3. Billing

Bills shall be issued in accordance with applicable sections of Public Utilities Commission Chapters, i.e. Chapters 660 and 870, and the Portland City Code, Section 24.

Section 235.4. Disconnection and Reconnection

A 14-day disconnection notice shall be issued to a delinquent customer when the Total Amount Overdue is greater than \$100.00 and more than 50 days old, the account is not on an active payment arrangement, and the account is not on dispute. A 3 business day disconnection notice shall be issued for the Total Amount Due when a customer does not comply with the terms of the established payment arrangement and the account is not on dispute

When a customer has received a 14 day disconnection notice and makes a partial payment that reduces the Total Amount Overdue to \$100.00 or less, the customer will be subject to disconnection until the Total Amount Overdue is paid in full, or the customer makes a payment arrangement. When a customer has received a 3 business day disconnection notice due to a broken payment arrangement, and makes a partial payment on the installment amount, the customer is subject to disconnection until the installment amount is paid in full.

Section 235.5. Payment Allocation

In the event that a payment is received by the District which does not clearly indicate whether the payment is for water or sewer, the payment shall be applied to the oldest outstanding basic service bills.

Section 235.6. Payment Arrangement

The District shall offer a Regular Payment Arrangement to customers who cannot pay the Total Account Balance in accordance with Chapter 660 of the Maine Public Utilities Commission Rules and these Terms and Conditions.

Section 235.7. Dispute Resolution

Disputes related to Chapter 660 of the Maine Public Utilities Commission Rules shall be resolved in accordance with the Rules of the Public Utilities Commission.

The District shall accept and respond to inquiries and complaints related to the amount or composition of charges. The appropriate municipality shall accept and respond to inquiries and complaints relating to the sewer collector system or the Municipality's Sewer Ordinance.

Section 240. Rebate Policy

The District may rebate a portion of a customer's bill for leakage. The rebate will only be available one time during a five-year period on each account. Proof may be required to substantiate the leakage and repair. The rebate will be based upon deducting one-half of the billing in excess of normal usage. In no event will the rebate apply to leakage that occurred more than one year prior to the time the customer notifies the District of the leakage.

Section 241. Time Period for “Make-Up” Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud

For residential and commercial accounts, the District may issue a “make-up” bill for service that was previously unbilled because of unauthorized use or fraud by the customer for service that occurred up to six (6) years before the issuance of the “make-up” bill”.

Section 242. Charge for Payments Returned

A charge will be made to the account of any customer whose check is returned by the bank for reason of insufficient funds or incorrect bank information. The charge shall be the greater of \$5.00 or an amount equal to the actual bank charges. The utility will furnish the customer with proof of any bank charges in excess of \$5.00.

Section 243. Interruption of Service

The District will provide notice of any shut off to affected customers in accordance with Portland Water District Board of Trustees Policy 620(2)(G) and will make a prorate reduction in the customer’s bill as provided in that subsection.

Section 250. Deposits

The interest rate paid on all deposits will be in accordance with Chapter 870 of the Commission's Rules and Regulations.

The amount of the deposit will be based on the amount of the basic service in accordance with Chapter 660 of the Maine Public Utilities Commission Rules guidelines.

SECTION 300 - SERVICE STANDARDS

Section 310. Maintenance of Plumbing

To prevent leaks and damages, all customers shall maintain at their own expense the plumbing and fixtures within their own premises in good repair and protect them from freezing. In the event of a frozen service, the District will inspect and determine where the service line is frozen. All costs associated with inspecting and thawing a frozen service line on private property shall be borne by the customer. All costs associated with inspecting and thawing a frozen service line in the public right of way shall be borne by the District.

Section 311. Fluctuation of Pressures by Customer's Apparatus

No customer shall install or use a water consumption apparatus that will affect the District's pressure or operating conditions so as to interfere with the service of another customer. If a customer has, or proposes to install an apparatus which requires water in sudden and/or material quantities, the District reserves the right to require the customer to install devices or apparatuses, which will confine such fluctuations of demand or reduction of pressure within reasonable limits as determined by the District.

If the customer, after receiving written notice from the District, fails to present an acceptable remedial plan within a time limit set by the District, service will be discontinued pursuant to provisions of the Chapter 660 of the Maine Public Utilities Commission Rules.

Section 312. Isolation Valve

Every service must be equipped with operable isolation valves, with one valve above and one valve below the meter. The valves and meter shall be protected from freezing either within a building or inside a meter pit. All piping shall be arranged to prevent backsiphonage and to permit drainage whenever necessary. The isolation valves shall be owned and maintained by the customer.

Section 313. By-Pass Valve

Effective February 1, 2008 customers desiring a by-pass valve must file an application for such valve with the District. Services shall be equipped with a by-pass valve only if the meter is 1.5-inch or larger, and if the applicant can document a need for business continuity to the satisfaction of the District. A by-pass valve shall be owned and maintained by a customer; it shall only be installed after the approval by the District, and shall be sealed shut. It can only be operated with the consent or approval of the District. In the event that the by-pass valve is unsealed or operated without the consent or approval of the District, the District, in its discretion, may require removal of the by-pass valve at the customer's expense.

Section 314. Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves

All customers having direct pressure water devices, including but not limited to booster pumps, hot water tanks, or secondary systems supplied by automatic feed valves, shall install and maintain at their own expense appropriate vacuum, temperature, pressure relief valves, and lower water cutouts in their water system to prevent damage., Water service supplied to any customer not providing such protective devices will be strictly at the risk of the customer, and the District will not be held liable for damage resulting from lack of or failure of such protective devices.

Section 315. Cross-Connections

No cross connection between the public water supply and any other supply will be allowed unless properly protected and supervised in accordance with the Department of Human Services rules, the District's formal Cross Connection Control Program, and the Portland Water District Board of Trustees Policy 620.

Section 316. Private Fire Protection

Customers requiring private fire protection should contact the District to determine the availability of fire service at their location. Fire service, if available, will be installed at the customer's expense within the bounds of the public way or right-of-way. The fire service line, after installation, will be owned and maintained in the public way or right-of-way by the District. The District does not guarantee any quantity of water or pressure available through a fire protection service. The owner of such service shall determine the adequacy of supply through the fire service by conducting tests of the private system. The District must be given timely notice so a representative of the District can be present to observe the test.

Section 320. Water Meters and Meter Reading Device

The District will install one meter per service line. Meters must be installed in a safe, clean, dry, warm area at the service entrance and must be readily and safely accessible to District representatives. Maintenance of all District meters is provided at the District's cost. If additional auxiliary, or memo meters are required by the customer for calculating subdivision of water supply, they shall be purchased, installed, and maintained by the customer.

The District shall install meter reading devices for meters owned by the District. The most beneficial location of this device, for efficient and safe meter reading purposes, will be determined by the District.

Section 321. Meter Maintenance and Accuracy

The District has a program that repairs, tests, and replaces(if necessary) all meter sizes on the following service periods:

5/8-inch through 2-inch:	20 Years
3-inch:	4 Years (field)
4-inch:	2 Years (field)
6-inch and larger:	1 Year (field)

Meters are tested in conformance with Section 3G. of the District's Water Service Standards Policy enacted by the Board of Trustees. Customer requests to test a water meter for accuracy are accommodated by the District without charge once every 18 months. More frequent tests of meters larger than one inch are at the customer's expense based on the District's actual costs. More frequent tests of meters one- inch or smaller are subject to a \$121.00 charge. It is recommended that the customer witness the meter test. If a meter is determined to be malfunctioning, the customer bill shall be adjusted according to the average historical usage.

Section 322. Meter Pit Policy

The District may require the customer of a property to supply, install, and maintain a meter pit(s) to District specifications at the customer's expense as a condition of service when:

- a. The actual laying length of the service pipe measures over 300-feet from the street line.
- b. The service location makes discovery of a possible leak unlikely.
- c. The use of service pipe deemed by the District to be inferior makes the possibility of a leak likely. (Copper pipe must be type K; plastic pipe must be rated 160 PSI.)
- d. A single service supplies two or more units with no suitable common area (accessible independently of any individual tenant/owner) in which to install the meter.
- e. A property of two or more units is supplied through multiple services, any one of which is located in front of, or enters a unit other than, the one it serves.
- f. The customer does not provide a clean, warm, dry, and safely accessible location for the meter and its appurtenances.
- g. The customer does not furnish an otherwise suitable location for a meter inside the customer's building.

All meter pits shall be installed on the customer's property and installed as follows:

- a. In such manner to keep the meter pit clean and dry at all times.
- b. In such manner to allow District representatives to have access to the meter pit.
- c. In such manner that all confined space entry equipment can be safely utilized in accordance with OSHA standards for confined space entry.
- d. In such manner to conform to District Standards and Specifications.

The customer shall be responsible for maintaining the meter pit at its cost such that it can accommodate the District's meter.

Section 330. ~~Water Service--General~~ Application for New Water Service

To qualify for new water service, all applicants must demonstrate a need for water service that meets the conditions contained herein.

The application for a new water service shall include at a minimum:

- A project description (i.e., type of use, project location, project schedule, etc.).
- A site plan showing the location of the proposed service.
- An inventory of all water fixtures in the building to be served.

Section 331. Conditions for Water Service

- (a) All water service lines must conform to Portland Water District Board of Trustees Policy 620. New water service must be established from a water main having direct frontage to the lot or building being served.
- (b) Multiple buildings on a single lot all owned by a single entity may be served by a single water service with a single meter installed in accordance with other provisions herein. When there are multiple detached buildings on one lot served by one service line, PWD may require a covenant to be recorded in the Cumberland County Registry of Deeds affirming that if the lot is ever subdivided, an independent water service shall be installed and operational for each building.
- (c) If a single building is ever split into more than one unit, utilizing a party wall, each unit will be required to have an independent water service at the time that the split occurs and the additional units are created. If the split has occurred prior to service being provided (i.e., duplex construction), an independent water service must be established to each individual unit prior to new service activation.
- (d) If water service to a new building or lot cannot be obtained without crossing the property of another then one or more permanent easements for water facilities, having terms acceptable to the District, must be created and recorded in the Cumberland County Registry of Deeds, for the benefit of the District and all new owners. Granting water service through an easement shall be at the discretion of the District.

(e) The District may require, in its discretion, that customers bring their service into conformance with current District standards if the following occurs:

1. Changes in water demand or use that necessitate a change in service line or meter size changes.
2. The addition of an irrigation system to an existing domestic service lines.
3. The installation or upgrade of a fire sprinkler system or the addition of a private hydrant to an existing service line

(f) Customers shall comply with the Portland Water District Board of Trustees Policy 620. The District reserves the right to suspend water service to a customer until the service line setup meets current District standards.

Section 340. Fire Hydrants

Fire hydrants may not be used for any purpose other than extinguishing fires, training purposes, or for such other purposes as may be agreed upon by the District and the municipality or owner of a private hydrant. In no case shall fire hydrants be operated by a person other than an agent of the District, except when used for fire protection or training purposes.

If the District approves a request for a hydrant meter, unless otherwise authorized, the District will install and will assess a fee of \$100.00 if installed and removed during normal business hours and \$165.00 if installed during non-business hours.

Section 350. Size of Water Distribution Mains

The District provides water for domestic and fire protection purposes. The District requires all distribution water mains be adequately sized in accordance Portland Water District Board of Trustees Policy 650: Water Main Extension and Service Line Rule enacted by the Board of Trustees.

Section 360. Winter Construction

No new public water mains or services will be installed during winter conditions unless specifically approved by the District. The customer assumes all extra expenses over the ordinary construction expense.

SECTION 400 - SERVICE PROVISIONS

Section 410. New Meter or Service Fees and Deposits

This Section defines the fees and deposits associated to requests for new water services. Fees and deposits are dependent on the scope of the new water service project and shall be determined by the District. Fees and deposits are required to be submitted with a completed Application for New Service. Deposits related to Service Inspection shall be reconciled by the District at the time of service installation, and deposits related to Service Activation shall be reconciled by the District at the time of Service Activation.

- **Service Application Fee.** All new services shall carry a non-refundable \$64.00 application fee.
- **Inspection Fee/Deposit.** The Applicant shall provide a deposit for the cost of inspection of the installation of the new service. Depending on the size of the new service, and how many services are to be installed in the project, the fee will either be a Flat Rate or Actual Cost.
 - **Flat Rate (Fee).** All new services that are 2-inches or less in diameter and that are the only service installed in a project will carry a Flat Rate fee of \$197.00 for inspection.
 - **Actual Cost (Deposit).** All new services that are greater than 2-inches in diameter and/or those that are one of multiple services installed as part of a project shall be inspected at Actual Cost. This shall also apply to projects where an existing service must be retired as a condition of service installation.
- **Meter Fee.** The Applicant shall provide the cost of the new meter associated to a new domestic service. The cost of the water meter is defined as the meter cost, ERT (remote reader) cost, typical plumbing fitting costs, and a \$25.00 inventory overhead fee.
 - **Existing Meters.** In a situation where a new domestic service is installed to a Lot, and that Lot has previously had a domestic water service and a meter that has since been recovered in good working condition by the District, the cost of that existing meter shall be accounted for in the Meter Fee for the new service. When determining the cost of the existing meter, current meter prices will be used.

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- **Meter Installation Fee/Deposit.** The Applicant shall provide a deposit for the cost of installing the meter for all new domestic services. Depending on the size of the new meter, the fee will either be a Flat Rate or Actual Cost.
 - **Flat Rate (Fee).** All new meters that are 2-inches and smaller and that are not being installed in a confined space meter pit/vault will carry a Flat Rate fee of \$69.00 for installation.
 - **Actual Cost (Deposit).** All new meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at Actual Cost.
- **Water Sample Fee.** New domestic services that are 2-inches or greater in diameter require a water sample. This also applies to domestic services installed in a parent/child configuration (i.e., a new domestic service that takes from a fire service rather than a water main). The cost of that water sample shall be \$175.00, to be provided by the Applicant.
- **Meter Pit Inspection Deposit.** New domestic services that are installed with a meter pit or vault carry an inspection charge to ensure the pit/vault meets District specifications. This inspection time shall be assessed at Actual Cost.
- **Fire Service Activation Fee.** All new fire services that are installed carry a \$49.00 fee to activate the service.
- **Private Hydrant Inspection Deposit.** New private fire hydrants installed on fire services must be inspected by the District prior to activation of the hydrant. This inspection time shall be assessed at Actual Cost.
- **Initial Backflow Inspection Fee.** All new Backflow Prevention Devices must be inspected prior to service activation. The District will perform the initial test of the device at the time of service activation and meter set. The inspection shall carry a fee of \$90.00 for the first device tested, and carry a fee of \$45.00 for each subsequent device to be tested.
- **DOT Highway Opening & Utility Location Permit Fee.** All fees associated to permits required to install a new water service in a State Highway shall be assessed by the District to the Applicant.

- **Inspection of new Public Infrastructure Deposit.** Occasionally a new service project will include the installation, removal, or relocation of public infrastructure (e.g., relocation of an existing hydrant). Inspection of this portion of a project is tracked separately and is assessed at Actual Cost.
- **Installation of Services as Part of a District Renewal Project Fee.** During a District organized water main renewal project, property owners who have frontage on the water main being renewed may request new services to their properties be added to the project. Addition of these services to the project is at the discretion of the District and their Contractor. If these services are added to the project, the cost of installation shall be determined by the District's Contractor and assessed to the Applicant through the Application.
- **Customer Contribution Fee.** As outlined in Portland Water District Board of Trustees Policy 650, new services installed on water mains that are less than 10-years old carry a Customer Contribution Fee. This fee is to be determined by the District per Policy 650 and assessed to the Applicant, to then be conveyed back to the original Developer of the water main.

When submitting an Application for new service, the Applicant shall be considered the owner of the building or Lot to be served. The Application shall be signed and dated by the Applicant.

A deposit for the required fees associated with that Application may be provided by the Applicant or a separate entity in their project team. If an entity other than the Applicant provides the required deposit, that entity must sign the Application as the Depositor. Reconciliation of all deposits will be processed with the Depositor.

Section 411. New Main Extension Application Fees and Deposits

This Section defines the fees and deposits associated with requests for new water main extension projects. Fees and deposits are dependent on the scope of the project and shall be determined by the District. Payment for fees and deposits are required to be submitted with a completed Main Extension Agreement. All deposits shall be reconciled by the District at the time of Final Completion.

- **Main Extension Application Fee.** All new main extension projects shall carry a non-refundable \$212.00 application fee.

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- **Planning and Engineering Fee.** Applicants for main extension projects shall be responsible for a Planning and Engineering fee equal to \$600.00 per work day spent assisting in the design of the project.
- **Valve Box Deposit.** Applicants shall provide a \$25.00 deposit for each valve box installed as part of a main extension project, to be returned at final inspection if the valve boxes are appropriately raised.
- **Fire Protection Deposit.** Applicants shall provide a Fire Protection Deposit related to the portion of the water main installed without a public hydrant. The Deposit shall be \$8.00 per linear foot in Scarborough and Raymond, and \$4.00 in all other municipalities in the PWD Service Area.

Section 420. Restoration of Service

The District will charge a customer a connection fee to restore service at the customer's premises if service was disconnected for nonpayment of bills, violation of the Terms and Conditions, fraudulent use of water, dangerous conditions on the customer's premises, violation of Commission rules, or at the customer's request, including requests to have the curb stop operated to enable work to be done on private property.

When the District is notified during *Normal Business Hours to restore service or is requested to restore service during Normal Business Hours, a reconnection fee of \$60.00 will be charged. When the District is notified during *Other Hours to restore service or is requested to restore service during Other Hours, the charge is \$42.00 per hour with a minimum charge of \$109.00.

The District will make a reasonable effort to reconnect service during *Normal Business Hours on the same day the request to reconnect is received. At the latest, reconnection must be made by 5:00 p.m. the following business day after the request.

* - Refer to Section ~~40~~120 for definition of Office Hours, Normal Business Hours and Other Hours

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Section 430. Charges for Replacement of Damaged Water Meters

The charges to customers for costs incurred for the replacement of meter(s) one inch or less damaged due to improper care by customers are as follows:

Meter Size	Charges to Replace During Normal Business Hours ¹	Other Hours ¹²
Meters up to 2 inch	\$69.00 + cost of meter	\$158.00 + cost of meter

¹ - ~~*Reflects minimum three hour call out and overtime rate.~~

~~**~~ Refer to Section 120 for definition of Normal Business Hours and Other Hours

² - ~~Reflects minimum three-hour call out and overtime rate.~~

All meters that are greater than 2-inches and/or those that are being installed in a confined space meter pit/vault shall be installed at Actual Cost. This cost shall be adjusted accordingly for requests that are received outside of Normal Business Hours.

Section 440. Closing Metered Accounts

To close an account, the District may require the meter to be removed and the service shut at the curb stop.

Upon closing the account, the customer requesting the account be closed shall pay for the cost of removing the meter if no one else is taking responsibility for billing and if the District is not provided access to retrieve the meter or the meter cannot be located on the customer premises. The fee charged shall be the fees noted in section 10 of these Terms and Conditions. If the customer does not have the ability to provide access to the meter, the fee shall not be charged. The fee shall be refunded to the customer if another customer takes responsibility for the account or the meter is retrieved subsequently.

When the customer requests the District to close the account, and there is no new customer taking service, the outgoing customer is responsible to make arrangements for removal of the meter. Failure to obtain the meter will result in billing the outgoing customer the fees noted in Section 10 of these Terms and Conditions. The fee will be refunded if the meter is subsequently obtained and is not damaged.

Section 450. Temporary Water Service

A customer can apply for temporary water service in support of project delivery. Temporary service will be established from the customer's domestic water service line only. The District will supply the temporary service assembly for the customer to install and maintain once service line installation and passing of pressure and purity tests is complete. The customer will be charged for the water consumption in addition to an inspection fee of \$100.00 for each installation of the temporary service assembly. Temporary water service shall be granted on a limited basis depending on the availability of temporary service assemblies and the requested duration of use. Details of the temporary water service can be acquired from Customer Service.

Section 460. Charges to Perform Flow Tests on Hydrants

For a hydrant flow test to generate the static pressure, residual pressure and the water flow for a single hydrant, the charge is \$209.00. For each additional hydrant flow test concurrently administered at the same site, an additional \$41.00 will be charged.

Section 480. Low-Income Customer Assistance Program

The following section outlines the District's Low-Income Customer Assistance Program.

Section 480.1. General Program Description

The District is supporting, in conjunction with City of Portland (COP) a program to provide financial assistance to low-income residential customers for the purpose of taking positive steps towards reducing water consumption to make water more affordable.

The District has authorized COP to administer a program to repair, replace or install plumbing fixtures and water saving devices with regard to the following:

- Leaking or broken water pipes
- Toilets
- Hot water tank
- Kitchen faucets
- Bathtub faucets
- Showerheads
- Outside faucets
- Toilet dams
- Low-flow devices

This program will be offered to all qualified residential customers of the District.

Section 480.2. Program Participation Requirements

A qualified residential customer must:

- Own and occupy a year-round residence within the District service area.
- Be low-income qualified, by showing evidence of having an annual household income that is 80% of area median income (AMI) as defined by US HUD.
- Demonstrate through a home audit provided by COP, a need for the program's services.

Section 480.3. General Provisions

The dwelling unit owner must agree to leave in place at the premises any water saving measures installed under this program.

COP will determine customer eligibility, complete a home audit, develop a remediation plan, subcontract work to be completed, and inspect completed work.

Qualified applicants will be assisted on a first come, first served basis up to the allocated amount provided to the program by the District. Exceptions will be made at the discretion of COP for emergency situations that jeopardize health or safety.

The District will fund this program on an annual basis and reserves the right to discontinue program support at any time.

Section 480.4. Miscellaneous

The District along with municipalities, COP Central Intake and Outreach staff, Human Service organizations, and the public at large, will refer homeowners to COP for qualification.

All specific services provided by this program will be delivered to qualified participants at no cost to the participant.

~~Section 12. Faulty Remote Meter Adjustment Policy~~

~~If the District finds that a remote reading meter has under reported actual usage, it will abate one-half of the difference between the actual usage and the remote reading. However, the amount rebated cannot exceed the previous year's usage.~~

~~Section 35. Chapter 670 Credit for Water to Metered Customers and Municipal Fire Service Customers~~

~~In order to implement a credit for all customers pursuant to Chapter 670 of the PUC Rules, the District shall provide a one-time credit on all active customer bills mailed on or after July 3, 2000 until each customer receiving a bill during the month of July, 2000 has received the one-time credit. The amount of the credit shall be equal to 6.78% of the customer's 1999 annual~~

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~~water net billings. If this one-time credit exceeds the total amount due on the July bill, the unused credit shall be applied to the customer's future bills.~~

CURRENT SECTION ORDER

Section 1	Billing and Payment Procedures	SHEET 1	REVISION 9	BILLING
Section 2	Collection Charge for Past Due Bills	SHEET 1.1	REVISION 4	BILLING
Section 2.1	Unauthorized use/Theft of service Charge	SHEET 1.1	REVISION 4	GENERAL
Section 2.2	Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings	SHEET 1.1	REVISION 4	BILLING
Section 3	Restoration of Service	SHEET 2	REVISION 10	SERVICE PROVISIONS
Section 4	Late Payment Charges	SHEET 2	REVISION 10	BILLING
Section 5	Multi-unit Properties	SHEET 2	REVISION 10	REMOVE
Section 5.1	Lien Charges for Multi-Unit Properties	SHEET 2	REVISION 10	BILLING
Section 5.2	Disconnection of Multi-Unit Properties	SHEET 2	REVISION 10	BILLING
Section 6	Deposits	SHEET 2	REVISION 10	BILLING
Section 7	Charge for Payments Returned	SHEET 2	REVISION 10	BILLING
Section 8	Charge for Testing Cross Connection Backflow Device	SHEET 2	REVISION 10	REMOVE
Section 9	Charge to Flow Test Hydrants	SHEET 2.1	REVISION 8	SERVICE PROVISIONS
Section 10	Charges for Replacement of Damaged Water Meters	SHEET 3	REVISION 8	SERVICE PROVISIONS
Section 11	Rebate Policy	SHEET 3	REVISION 8	BILLING
Section 12	Faulty Remote Meter Adjustment Policy	SHEET 4	REVISION 5	REMOVE
Section 13	Liability	SHEET 4	REVISION 5	REMOVE
Section 13.1	Liability	SHEET 4	REVISION 5	GENERAL
Section 13.2	Interruption of Service	SHEET 4	REVISION 5	BILLING
Section 14	Water Service - General	SHEET 4	REVISION 5	SERVICE STANDARDS
Section 14.1	Conditions for Water Service	SHEET 4.1	REVISION 2	SERVICE STANDARDS
Section 15	Isolation Valve	SHEET 5	REVISION 6	SERVICE STANDARDS
Section 15.1	By-Pass Valve	SHEET 5	REVISION 6	SERVICE STANDARDS
Section 16	Cross-Connections	SHEET 5	REVISION 6	SERVICE STANDARDS
Section 17	Maintenance of Plumbing	SHEET 5	REVISION 6	SERVICE STANDARDS
Section 18	Fluctuation of Pressures by Customer's Apparatus	SHEET 5	REVISION 6	SERVICE STANDARDS
Section 19	Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves	SHEET 6	REVISION 7	SERVICE STANDARDS
Section 20	Access to Premises	SHEET 6	REVISION 7	GENERAL
Section 21	Unauthorized Use of Water	SHEET 6	REVISION 7	GENERAL
Section 22	Seasonal Customer	SHEET 7	REVISION 9	BILLING
Section 23	Water Meters and Meter Reading Device	SHEET 7	REVISION 9	SERVICE STANDARDS
Section 24	Meter Maintenance and Accuracy	SHEET 7.1	REVISION 1	SERVICE STANDARDS
Section 25	Closing Metered Accounts	SHEET 8	REVISION 7	SERVICE PROVISIONS
Section 26	Meter Pit Policy	SHEET 8.1	REVISION 7	SERVICE STANDARDS
Section 27	Size of Water Distribution Mains	SHEET 9	REVISION 6	SERVICE STANDARDS
Section 28	Winter Construction	SHEET 9	REVISION 6	SERVICE STANDARDS
Section 29	Fire Hydrants	SHEET 9	REVISION 6	SERVICE STANDARDS
Section 30	Private Fire Protection	SHEET 9	REVISION 6	SERVICE STANDARDS
Section 31	Tampering With District Property	SHEET 10	REVISION 5	GENERAL
Section 32	Commission Appeal	SHEET 10	REVISION 5	GENERAL
Section 33	Low-Income Customer Assistance Program	SHEET 11	REVISION 6	SERVICE PROVISIONS
Section 33.1	General Program Description	SHEET 11	REVISION 6	SERVICE PROVISIONS
Section 33.2	Program Participation Requirements	SHEET 11	REVISION 6	SERVICE PROVISIONS
Section 33.3	General Provisions	SHEET 12	REVISION 2	SERVICE PROVISIONS
Section 33.4	Miscellaneous	SHEET 12	REVISION 2	SERVICE PROVISIONS
Section 34	Disconnection Process for Overdue Combined Water and Municipal Sewer Balances	SHEET 13	REVISION 6	BILLING
Section 34.1	Policy	SHEET 13	REVISION 6	BILLING
Section 34.2	Definitions	SHEET 13	REVISION 6	BILLING
Section 34.3	Billing	SHEET 13	REVISION 6	BILLING
Section 34.4	Disconnection and Reconnection	SHEET 13	REVISION 6	BILLING
Section 34.5	Payment Allocation	SHEET 13	REVISION 6	BILLING
Section 34.6	Payment Arrangement	SHEET 14	REVISION 6	BILLING
Section 34.7	Dispute Resolution	SHEET 14	REVISION 6	BILLING
Section 35	Chapter 670 Credit for Water to Metered Customers and Municipal Fire Service Customers	SHEET 15	REVISION 1	REMOVE
Section 36	New Customer Activation Fee	SHEET 16	REVISION 8	BILLING
Section 37	New Main Extension Application Fee	SHEET 16	REVISION 8	SERVICE PROVISIONS
Section 38	New Meter or Service Fee	SHEET 16	REVISION 8	SERVICE PROVISIONS
Section 39	Time Period for "Make-Up" Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud	SHEET 16	REVISION 8	BILLING
Section 40	Office Hours, Normal Business Hours, Other Hours and Emergency Hours	SHEET 17	REVISION 2	GENERAL
Section 41	Temporary Water Service	SHEET 17	REVISION 2	SERVICE PROVISIONS
Section 42	Water Supply Emergency	NEW	NEW	GENERAL

SECTION RE-ORDER - GROUP BY SUBJECT (NEW NUMBERING ORDER)

			SECTION	SUBSECTION	SUB-SUBSECTION	NEW SECTION NUMBER
Section 32	Commission Appeal	GENERAL	100	10	0	110
Section 40	Office Hours, Normal Business Hours, Other Hours and Emergency Hours	GENERAL	100	20	0	120
Section 20	Access to Premises	GENERAL	100	30	0	130
Section 31	Tampering With District Property	GENERAL	100	40	0	140
Section 21	Unauthorized Use of Water	GENERAL	100	50	0	150
Section 2.1	Unauthorized use/Theft of service Charge	GENERAL	100	50	1	151
Section 13	Liability	GENERAL	100	60	0	160
Section 42	Water Supply Emergency	GENERAL	100	70	0	170
Section 1	Billing and Payment Procedures	BILLING	200	10	0	210
Section 22	Seasonal Customer	BILLING	200	10	1	211
Section 36	New Customer Activation Fee	BILLING	200	20	0	220
Section 4	Late Payment Charges	BILLING	200	30	0	230
Section 2	Collection Charge for Past Due Bills	BILLING	200	30	1	231
Section 5.1	Lien Charges for Multi-Unit Properties	BILLING	200	30	2	232
Section 5.2	Disconnection of Multi-Unit Properties	BILLING	200	30	3	233
Section 2.2	Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings	BILLING	200	30	4	234
Section 34	Disconnection Process for Overdue Combined Water and Municipal Sewer Balances	BILLING	200	30	5	235
Section 34.1	Policy	BILLING				
Section 34.2	Definitions	BILLING				
Section 34.3	Billing	BILLING				
Section 34.4	Disconnection and Reconnection	BILLING				
Section 34.5	Payment Allocation	BILLING				
Section 34.6	Payment Arrangement	BILLING				
Section 34.7	Dispute Resolution	BILLING				
Section 11	Rebate Policy	BILLING	200	40	0	240
Section 39	Time Period for "Make-Up" Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud	BILLING	200	40	1	241
Section 7	Charge for Payments Returned	BILLING	200	40	2	242
Section 13.2	Interruption of Service	BILLING	200	40	3	243
Section 6	Deposits	BILLING	200	50	0	250
Section 17	Maintenance of Plumbing	SERVICE STANDARDS	300	10	0	310
Section 18	Fluctuation of Pressures by Customer's Apparatus	SERVICE STANDARDS	300	10	1	311
Section 15	Isolation Valve	SERVICE STANDARDS	300	10	2	312
Section 15.1	By-Pass Valve	SERVICE STANDARDS	300	10	3	313
Section 19	Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves	SERVICE STANDARDS	300	10	3	314
Section 16	Cross-Connections	SERVICE STANDARDS	300	10	4	315
Section 30	Private Fire Protection	SERVICE STANDARDS	300	10	5	316
Section 23	Water Meters and Meter Reading Device	SERVICE STANDARDS	300	20	0	320
Section 24	Meter Maintenance and Accuracy	SERVICE STANDARDS	300	20	1	321
Section 26	Meter Pit Policy	SERVICE STANDARDS	300	20	2	322
Section 14	Water Service - General	SERVICE STANDARDS	300	30	0	330
Section 14.1	Conditions for Water Service	SERVICE STANDARDS	300	30	1	331
Section 29	Fire Hydrants	SERVICE STANDARDS	300	40	0	340
Section 27	Size of Water Distribution Mains	SERVICE STANDARDS	300	50	0	350
Section 28	Winter Construction	SERVICE STANDARDS	300	60	0	360
Section 38	New Meter or Service Fee	SERVICE PROVISIONS	400	10	0	410
Section 37	New Main Extension Application Fee	SERVICE PROVISIONS	400	10	1	411
Section 3	Restoration of Service	SERVICE PROVISIONS	400	20	0	420
Section 10	Charges for Replacement of Damaged Water Meters	SERVICE PROVISIONS	400	30	0	430
Section 25	Closing Metered Accounts	SERVICE PROVISIONS	400	40	0	440
Section 41	Temporary Water Service	SERVICE PROVISIONS	400	50	0	450
Section 9	Charge to Flow Test Hydrants	SERVICE PROVISIONS	400	60	0	460
Section 33	Low-Income Customer Assistance Program	SERVICE PROVISIONS	400	70	0	470
Section 33.1	General Program Description	SERVICE PROVISIONS				
Section 33.2	Program Participation Requirements	SERVICE PROVISIONS				
Section 33.3	General Provisions	SERVICE PROVISIONS				
Section 33.4	Miscellaneous	SERVICE PROVISIONS				
N/A	Liability	REMOVE	N/A	N/A	N/A	N/A
N/A	Multi-unit Properties	REMOVE	N/A	N/A	N/A	N/A
N/A	Charge for Testing Cross Connection Backflow Device	REMOVE	N/A	N/A	N/A	N/A
N/A	Faulty Remote Meter Adjustment Policy	REMOVE	N/A	N/A	N/A	N/A
N/A	Chapter 670 Credit for Water to Metered Customers and Municipal Fire Service Customers	REMOVE	N/A	N/A	N/A	N/A

PROPOSED SECTION REORDER FOR REVISED T&C DOCUMENT (NEW SECTION NUMBERS, NEW TITLES IN RED)

Section 110	Appeals Process	GENERAL	SHEET 3
Section 120	Office Hours, Normal Business Hours, Other Hours and Emergency Hours	GENERAL	SHEET 3
Section 130	Access to Premises Served by PWD	GENERAL	SHEET 3
Section 140	Tampering With District Property	GENERAL	SHEET 3
Section 150	Unauthorized Use of Water	GENERAL	SHEET 4
Section 151	Unauthorized use/Theft of service Charge	GENERAL	SHEET 4
Section 160	Liability	GENERAL	SHEET 4
Section 170	Water Supply Emergency	GENERAL	SHEET 4
Section 210	Billing and Payment Procedures	BILLING	SHEET 5
Section 211	Seasonal Billing Procedures	BILLING	SHEET 5
Section 220	New Customer Activation Fee	BILLING	SHEET 6
Section 230	Late Payment Charges	BILLING	SHEET 6
Section 231	Collection Charge for Past Due Bills	BILLING	SHEET 6
Section 232	Lien Charges for Multi-Unit Properties	BILLING	SHEET 6
Section 233	Disconnection of Multi-Unit Properties	BILLING	SHEET 6
Section 234	Disconnection of Leased or Rental Single-Meter, Multi-Unit Dwellings	BILLING	SHEET 7
Section 235	Disconnection Process for Overdue Combined Water and Municipal Sewer Balances	BILLING	SHEET 7
	Policy	BILLING	SHEET 7
	Definitions	BILLING	SHEET 7
	Billing	BILLING	SHEET 7
	Disconnection and Reconnection	BILLING	SHEET 8
	Payment Allocation	BILLING	SHEET 8
	Payment Arrangement	BILLING	SHEET 8
Section 240	Dispute Resolution	BILLING	SHEET 8
	Rebate Policy	BILLING	SHEET 9
Section 241	Time Period for "Make-Up" Bills for Previously Unbilled Service Due to Unauthorized Use or Fraud	BILLING	SHEET 9
Section 242	Charge for Payments Returned	BILLING	SHEET 9
Section 243	Interruption of Service	BILLING	SHEET 9
Section 250	Deposits	BILLING	SHEET 9
Section 310	Maintenance of Plumbing	SERVICE STANDARDS	SHEET 10
Section 311	Fluctuation of Pressures by Customer's Apparatus	SERVICE STANDARDS	SHEET 10
Section 312	Isolation Valve	SERVICE STANDARDS	SHEET 10
Section 313	By-Pass Valve	SERVICE STANDARDS	SHEET 10
Section 314	Safeguarding Direct Pressure Water Devices and Systems Supplied by Automatic Feed Valves	SERVICE STANDARDS	SHEET 11
Section 315	Cross-Connections	SERVICE STANDARDS	SHEET 11
Section 316	Private Fire Protection	SERVICE STANDARDS	SHEET 11
Section 320	Water Meters and Meter Reading Device	SERVICE STANDARDS	SHEET 11
Section 321	Meter Maintenance and Accuracy	SERVICE STANDARDS	SHEET 12
Section 322	Meter Pit Policy	SERVICE STANDARDS	SHEET 12
Section 330	Application for New Water Service	SERVICE STANDARDS	SHEET 13
Section 331	Conditions for Water Service	SERVICE STANDARDS	SHEET 13
Section 340	Fire Hydrants	SERVICE STANDARDS	SHEET 14
Section 350	Size of Water Distribution Mains	SERVICE STANDARDS	SHEET 14
Section 360	Winter Construction	SERVICE STANDARDS	SHEET 14
Section 410	New Meter or Service Fee and Deposits	SERVICE PROVISIONS	SHEET 15
Section 411	New Main Extension Application Fees and Deposits	SERVICE PROVISIONS	SHEET 17
Section 420	Restoration of Service	SERVICE PROVISIONS	SHEET 18
Section 430	Charges for Replacement of Damaged Water Meters	SERVICE PROVISIONS	SHEET 19
Section 440	Closing Metered Accounts	SERVICE PROVISIONS	SHEET 19
Section 450	Temporary Water Service	SERVICE PROVISIONS	SHEET 20
Section 460	Charges to Perform Flow Tests on Hydrants	SERVICE PROVISIONS	SHEET 20
Section 470	Low-Income Customer Assistance Program	SERVICE PROVISIONS	SHEET 20
	General Program Description	SERVICE PROVISIONS	SHEET 20
	Program Participation Requirements	SERVICE PROVISIONS	SHEET 21
	General Provisions	SERVICE PROVISIONS	SHEET 21
	Miscellaneous	SERVICE PROVISIONS	SHEET 21
N/A	Multi-unit Properties	REMOVED	REMOVED
N/A	Liability	REMOVED	REMOVED
N/A	Charges for Testing Cross Connection Backflow Devices	REMOVED	REMOVED
N/A	Faulty Remote Meter Adjustment Policy	REMOVED	REMOVED
N/A	Chapter 670 Credit for Water to Metered Customers and Municipal Fire Service Customers	REMOVED	REMOVED



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7B Order 22-010
Date of Meeting: March 28, 2022
Subject: Fee Schedule for Non-Water Tariff Services
Presented By: Adam Sellick, Project Manager

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, the revision to the Fee Schedule for Non-Water Tariff Services, attached hereto as exhibit A, is hereby adopted with an effective date of April 1, 2022.

BACKGROUND ANALYSIS.

At the July 23, 2018 meeting, the Board adopted a schedule of fees assessed to customer and other entities for services provided. For water services that customers are required to obtain from the District, any fees are incorporated in the Terms and Conditions. For other services, the fee schedule was created to consolidate all such fees in one document.

The proposed amendment defines an existing fee for inspection of sewer manholes and mains. This fee is collected through the MEANS process for new sewer mains in the District's wastewater service areas.

FISCAL REVIEW / FUNDING

The fee is estimated to generate \$5,000 - 10,000 per year depending on development demand.

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends the proposed motion be approved. The Committee voted to forward the item to the full Board for its consideration.

ATTACHMENT(S)

A. Fee Schedule for Non-Water Tariff Services

Fee Schedule for Non-Water Tariff Services

Schedule of latest fees adopted by the Board of Trustees effective August 1, 2018.

	Description	Fee
A. Water		
1. Winter hydrant inspection	Inspection of private hydrants to verify the operability of hydrant during winter months	\$3 per month on monthly water bill. Cost covers the average cost to inspect hydrant
2. Damage Hydrants	Repair of hydrants damaged by customers	Costs to repair including labor, benefit overhead, stock items with normal markup (25%), third-party expenses and \$7 finance department administrative fee
B. Wastewater		
1. Industrial pretreatment permit	Initial and periodic review of the customer premises to assure compliance with IPT regulations	\$300 for initial and every 3-year renewal.
2. Septage and Holding Tank Waste	Qualifying haulers may deliver septage, holding tank and other waste to PWD treatment facilities (see policy 6.20-03)	Consistent with the 'Acceptance Fee Schedule' included in Policy 6.20-03.
3. Submeter Fee -Monthly	Covers the operating and capital cost of the submeter program	\$2 per month at the request of Cumberland, Gorham, South Portland and Westbrook
4. Submeter Fees -Other	The cost to investigate why a submeter cannot be read after the initial installation of meter/Encoder Receiver Transmitter (ERT).	Sub meter verification fee \$19
5. Submeter Fees – Portland Only	Costs or replacing submeters for Portland residents.	Submeter Replacement ERT & Meter \$150 Submeter ERT Only Upgrade fee \$105 Fees are per City's request.
6. <u>Sewer Manhole/Main Inspection Fees</u>	<u>Applicants installing sewer main infrastructure shall be responsible for the cost of inspection of all manholes installed as well as CCTV inspection of all new sewer mains to NASSCO Standards.</u>	<u>These fees are to be determined at the time of Main Extension Agreement development.</u>
C. General		
1. Purchases from Stock Room	Qualified third-parties and employees may purchase items from the stockroom – see policy 7.15-02.	Inventory value plus a 50% mark up (See Policy 7.15-02).
2. Freedom of Information Request	Members of the Public requesting access to public records (see policy 7.05-05).	\$1 for first page, \$0.50 for each additional page, optional \$15/hour to compile data. Payment in advance may be required. (See Policy 7.05-05)



BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7C Order 22-011
Date of Meeting: March 28, 2022
Subject: North Windham Wastewater Treatment Facility Project – Professional Services Contract – Engineering Method Approval
Presented By: Paul Rodriguez, Sr. Project Engineer

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, that the Design-Build Method is authorized for the procurement of engineering services for the North Windham Wastewater Treatment Facility Project, pursuant to the District's Purchasing Policy, and that the General Manager and the Treasurer, each acting singly, are authorized to take such other steps as may be necessary to accomplish the intent of this vote.

BACKGROUND ANALYSIS

The District has been working with the Town to evaluate wastewater treatment facilities to serve the North Windham area per the Memorandum of Understanding (MOU) approved May 26th, 2020 (Order 20-020). We are nearing completion of the Preliminary Engineering Report which completes the scope of services recommended in the December 2020 (Order 20-035) professional services contract. Going forward, the Town has expressed their desire to expedite project schedule as much as possible, with a target system startup date of 2026. Further, the Town has indicated a willingness to prioritize system construction in phases to leverage creative cost containment solutions.

With these considerations in mind, staff is requesting that future engineering services procurements utilize the Design-Build Method instead of the Comprehensive Method. Per the MOU, additional engineering contracts would require Town and Board approval prior to proceeding. Staff is requesting authorization of the Design-Build Method at this time based on discussions with the Town and to prepare for the next steps toward successful implementation of the project; however, issuance of a formal request for proposal would be pending Town authorization to proceed, which is expected in the coming months. Therefore, Staff anticipates recommending selection of design-build engineering services firm to the Board no earlier than late summer 2022.

FISCAL REVIEW/ FUNDING

It is expected that the project will be bond financed along with anticipated federal grant assistance. The project cost impact is expected to be approximately \$25M to \$35M.

LEGAL REVIEW

Corporate Counsel has reviewed and approved the form of motion.

CONCLUSION(S)

Staff recommends that the Design-Build Method be utilized to procure engineering and construction phase services for this project. The Committee unanimously recommended that the item be forwarded for consideration by the full Board.

ATTACHMENT(S)

None



Portland Water District
From Sebago Lake To Casco Bay

BOARD OF TRUSTEES / AGENDA ITEM SUMMARY

Agenda Item: 7D Order 22-012
Date of Meeting: March 28, 2022
Subject: Board Policy 620 Amendment
Presented By: James Wallace, Water Services Director
Adam Sellick, Project Manager

RECOMMENDATION

The following proposed language is presented for Board of Trustee approval:

ORDERED, the revised District's Policy 620 Water Service, in substantial form as attached hereto as Exhibit B, is hereby adopted with an effective date of April 1, 2022.

BACKGROUND ANALYSIS.

During the process for obtaining exemptions from regulation from the PUC, the District represented that it would utilize Chapter 62 of the Rules of the Maine Public Utilities Commission as a foundation for its water operations. By Order dated November 23, 2015, the Board of Trustees adopted Board Policy 620 for use as its own, effective by January 1, 2016. Staff reviewed the Chapter in detail and provided recommendations to the Board for modifications which were adopted at the March 28, 2016 meeting (Order 16-013).

Staff recommends the following changes:

- Section 2 General Provisions. Section to be amended by adding the word material.
 - o The word Material has been proposed to be added to Section 2 on recommendation by PUC. PUC recommends that Water Utilities include somewhere in their T&C and/or Policies that they may dictate the material of new services and mains (e.g., copper, PVC, ductile iron, etc.). Policy 620 does not explicitly grant PWD the ability to determine the material of new services in the current revision.
- Section 4 Conditions of Service. Section to be amended by revising the references to Sections of the District Terms & Conditions.
 - o A Restatement of the District Terms & Conditions (T&C) is being proposed to the District Board of Trustees alongside this proposed revision of Policy 620. This proposed change aligns Policy 620 with the Restated T&C.

- Section 5 Water Supply Emergency. Add new section addressing how the District would respond to an emergency requiring the restriction of water use.
 - o The Maine Public Utilities Commission recently enacted emergency rule-making to amend its Service Standards for Water Utilities Rule. The purpose of the amendments was to provide guidance and procedures for water utilities who need to curtail customer water usage during a water supply emergency.

For the past several years, Maine has been experiencing drought conditions throughout the state, and this is impacting the ability of some water utilities to provide water. Currently the District does not have clear authority and procedures in place to address an immediate threat to its ability to provide service. Without the adoption of necessary procedures, any District action steps may occur too late to address an immediate issue.

The addition of a Water Supply Emergency section to District Policy 620 will expressly allow the District to declare a “water supply emergency” to curtail water supply under certain circumstances, including insufficient supply to meet water demand, compliance with orders of the Maine or federal Centers for Disease Control, maintenance and repair, and other conditions which substantially limit the District’s ability to supply sufficient water to its customers.

FISCAL REVIEW / FUNDING

The changes have no fiscal impact to the District

LEGAL REVIEW

Corporate Counsel reviewed the proposed motion and approved it as to form.

CONCLUSION(S)

Staff recommends the proposed motion be approved. The Committee unanimously recommended that the item be forwarded for consideration by the full Board.

ATTACHMENT(S)

- A. Policy 620 Water Service Proposed Changes
- B. Policy 620 Water Service Amended

Attachment A Policy 620 Water Service Proposed Changes

Amendment to Section 2:

2. General Provisions

C. Service Pipe.

- i. The District shall own and maintain the service drop portion of the service pipe, as described in and subject to the payment and other requirements of the District's Water Main Extension and Service Line Policy. The District shall determine the size, material, and location of its portion of the service pipe. The customer shall pay for, install, own and maintain the customer's portion of the service pipe. If a public way must be crossed by the customer's portion of the service pipe, the crossing must be approved by the District.

Amendment to Section 4:

4. Conditions of Service

Conditions of Service are as described in **Sections 130, 150, 310-315, 330, and 331** of the District Terms & Conditions.

Addition to Policy (New Section 5):

The District may declare a water supply emergency and implement mandatory water conservation and/or utilization restrictions: (i) when the District has determined that water availability from the District's source is not sufficient to meet demand; (ii) to comply with drinking water orders by the federal or Maine Center for Disease Control and Prevention; (iii) when maintenance and repair of facilities or equipment substantially limits the District's ability to meet water demand; or (iv) when the District identifies other conditions that substantially limit the District's ability to meet water demand. The District may declare a water supply emergency for the entire distribution system or for a discrete portion or portions of the distribution system. When the District declares a water supply emergency, it will use the following process:

- A. Provide notice to all affected customers as soon as reasonably practicable. Notice will be given to customers by U.S. Postal Service mail, email, text message, by posting notice on the District's webpage or other electronic platform (for example but not necessarily limited to a Facebook page or Twitter account), by postings in public areas of the community, or any combination of the above. The notice will include a description of the water supply emergency, a description of the specific water conservation and/or utilization restrictions being imposed by the District, and notice that violations of the water conservation and/or utilization restrictions may subject the customer to a fee equal to twice the general reconnection fee in the District's Commission-approved Terms and Conditions. The notice will also specify that each 24-hour period for which the customer is not in compliance with the water company's water conservation and/or utilization restrictions constitutes a separate violation;
- B. For the first violation of the District's water conservation and/or utilization restrictions, the District will provide a warning by U.S. Postal Service mail, email, hand delivery, text message, door hanger, or any combination of the above to each customer in violation of the District's water conservation and/or utilization restrictions. The warning will specify that each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation;
- C. For each subsequent violation of the District's water conservation and/or utilization restrictions after the violation that resulted in the warning in subsection 5(B) of this Policy, the District shall impose a fee on the customer's next water bill equal to twice the general reconnection fee contained in the water company's terms and conditions. For purposes of this fee, each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation. The District may disconnect customers for repeated violations of the District's water conservation and/or utilization restrictions if it deems those customers to be a threat to the safety of any person or the integrity of the District's delivery system; and
- D. The District will notify the Commission Staff of the implementation and removal of mandatory water conservation and/or utilization restrictions. Notification may be by email or telephone

PORTLAND WATER DISTRICT BOARD OF TRUSTEES**Policy 620 WATER SERVICE STANDARDS**

SUMMARY: This policy establishes the regulations for the Portland Water District, including rules applicable to jobbing, conditions of service, seasonal service, low pressure areas, limited service agreements, and metering.

1. Definitions

- A. Corporation. A body created and authorized by law to act and be treated as a single legal entity with an identity distinct from that of its individual members. This definition includes private companies, municipal and quasi-municipal corporations.
- B. Customer. A person, firm, government or government division which has applied for and is granted service or which is responsible for payment of the service.
- C. Establishment. A location at which water service is sought or is being rendered.
- D. Limited Service Agreement. A written agreement, the form of which is approved by the District Board of Trustees, by which the District agrees to provide and the customer agrees to accept a substandard level of service described in the contract.
- E. Person. An individual, partnership, or voluntary association.
- F. Private Line. (1) A water line constructed prior to May 7, 1986 across private property to serve one or more customers and not considered by the utility to be a main; (2) except as provided under Policy 65, a water line constructed after May 7, 1986 across private property to serve a single customer, a single multi-unit dwelling complex or a single commercial or industrial development upon which no other person has an easement or other right of access for water line purposes.
- G. Service Pipe. The pipe running from the water main to the customer's establishment.
- H. Temporary Establishment. An establishment that the District reasonably believes to be of a temporary nature after giving due consideration to the location, setting, structures, and use of the establishment.
- I. The District. The Portland Water District

- J. Water Main. A water pipe, other than a service pipe, which is owned, operated, and maintained by the District, and used for the transmission or distribution of water.

2. General Provisions

- A. Applications for Service. An application for service may be made by either owner or occupant of the establishment to be served. If a new service connection or other work on the owner's premise is required, the owner must authorize the District to enter the premises to do the necessary work.
- B. Advance Payment for Utility Jobbing. Whenever the District agrees to do work outside the scope of tariffed services for a customer at the customer's expense, the District may require an advance payment equal to the District's estimated cost of the work. At the completion of the work, any excess over the actual bill for services will be returned, and any amount due in excess of the advance payment will be payable.
- C. Service Pipe.
 - i. The District shall own and maintain the service drop portion of the service pipe, as described in and subject to the payment and other requirements of the District's Water Main Extension and Service Line Policy. The District shall determine the size, material, and location of its portion of the service pipe. The customer shall pay for, install, own and maintain the customer's portion of the service pipe. If a public way must be crossed by the customer's portion of the service pipe, the crossing must be approved by the District.
 - ii. When the District is requested by a customer to thaw a frozen service pipe and it cannot be determined whether it was frozen on the District's portion of the pipe or the customer's portion, one half of the cost of thawing the pipe shall be borne by the District.
- D. Temporary Service.
 - i. If it is impractical for the District to provide service directly to a customer, water may be furnished temporarily from an adjacent service if the District and the owner of the adjacent service approve. The temporary service shall be at the expense of the customer requesting the service.
- E. Seasonal Service shall be provided. Pursuant to Section 22 of the District's Terms and Conditions

- F. Joint Use of Pipe Trench. The District shall not place water mains or a service pipe in the same trench with facilities of other utilities. If possible, a water utility shall provide a horizontal separation of ten feet between water mains or service pipe and facilities of other utilities.
- G. If a customer so requests, the District shall make a pro-rata reduction in the customer's rates if service is interrupted for longer than forty-eight hours if the interruption is not the customer's fault. The reduction shall be applied only to the minimum bill. The District may make this adjustment on the next bill. Notice of any planned shut off shall be given to customers affected at least twenty-four hours in advance of the interruption of service. Notice of unplanned shut offs shall be given when practicable.
- H. Low Pressure Areas. The District shall not extend its mains or render service to new customers in areas where substantially uniform system pressure at the connection of the water service to the main may be expected to fall below 40 p.s.i., except for periods of fire flow or system maintenance, unless a limited service agreement is executed between the customer and the District. If a customer within the District's franchise area is willing to enter into a limited service agreement, then the District may provide service. The District shall ensure that the limited service agreement shall specify the materials and minimum size for the customer's portion of the service pipe. The limited service agreement shall be made expressly subject to the authority of the Board of Trustees to require better service when, upon investigation, the Board of Trustees concludes that service should be improved.
- I. Conservation. The District shall take all reasonable steps to prevent unnecessary waste of water. When necessary to conserve the water supply, the District may restrict or prohibit the use of hoses or sprinklers for both flat rate and metered customers.

3. Meters

- A. Application. A customer may receive water through a meter upon written application to the District in compliance with Section 14 of the District's Terms and Conditions. The District shall determine the size of the meter, which shall be reasonable in view of the nature of the water service provided.
- B. Conversion from Metered Rates. The District shall not convert an establishment served at metered rates to flat rates without the approval of the Board of Trustees.
- C. Meter Setting. All meters shall be set as close as possible to the point of entrance of the service pipe to the building. The District shall require the customer to provide a warm, dry, and accessible location for the meter. The cost of the meter and installation as described in Sections 23 and 38 of the District Terms and

Conditions. The location of the meter, once set, may be changed at the request and expense of the customer, but the change may be made only by an agent of the District. For new installations of meters, the piping arrangement shall be in accordance with the requirements of the District.

D. Remote Reading Registers.

- i. If the District installs non-District-standard meter reading register at the request of a customer for his convenience, the register and installation shall be paid for by the customer but the equipment shall be owned and maintained by the District.
- ii. If a remote reading register is installed by the District to expedite its meter reading and billing procedures, the installation shall be at the District's expense.

E. Meter Vaults. Meter vault installations shall be performed according to Section 26 of the District's Terms and Conditions.

F. Repairs. Meter repairs and replacements necessitated by ordinary wear will be paid for by the District. Those caused by freezing, hot water, or by other causes within the control of the customer may be charged to the customer, including the cost of removing and replacing the damaged meter pursuant to Section 10 of the District's Terms and Conditions

G. Testing. Pursuant to Section 24 of the District's Terms and Conditions. The District shall provide and maintain suitable equipment and facilities or make arrangements with another District or qualified firm for testing its meters.

Portable test meters and equipment may be used to test meters in the field. Test meters and equipment shall be tested and recalibrated to insure accuracy at least once a year. The equipment shall include a device to regulate the flow of water through the meter during the test.

Meters placed in service shall be tested by the manufacturer, with proper certification of such testing furnished to the District, or by the District before installation. Thereafter, meters shall be tested periodically in accordance with this subsection or more frequently if requested by the customer. Tests made at the request of a customer shall be made in the presence of the customer or his representative if he desires, and a complete report of the test results shall be furnished to the customer in writing.

All tests shall be at the expense of the District unless the customer requests more than one test in eighteen (18) months, in which case the District may require the customer to make a reasonable deposit, if authorized by the District's tariffs, to cover the cost of the test. If a meter tested at the request of a customer does not

conform to the standards the standards established by the American Water Works Association (AWWA) Section C700.14.2.A., the customer's deposit will be refunded. If the meter conforms to the standards below, the customer's deposit may be retained by the District, and the meter may be continued in use at the same location.

To determine the accuracy of meters, the District will follow the standard specifications of the AWWA Section C 700.14.2.A., except that no meter shall be placed or continued in service if it registers more than 2% above or below the intermediate or maximum flows or below 90% of the minimum flow.

- H. Rate Adjustment. Rate adjustments shall be made according Section 24 of the District's Terms and Conditions.

4. **Conditions of Service**

Conditions of Service are as described in Sections 14-21, 130, 150, 310-315, 330, and 331 of the District Terms ~~and~~ & Conditions.

5. **Water Supply Emergency**

The District may declare a water supply emergency and implement mandatory water conservation and/or utilization restrictions: (i) when the District has determined that water availability from the District's source is not sufficient to meet demand; (ii) to comply with drinking water orders by the federal or Maine Center for Disease Control and Prevention; (iii) when maintenance and repair of facilities or equipment substantially limits the District's ability to meet water demand; or (iv) when the District identifies other conditions that substantially limit the District's ability to meet water demand. The District may declare a water supply emergency for the entire distribution system or for a discrete portion or portions of the distribution system. When the District declares a water supply emergency, it will use the following process:

- A. Provide notice to all affected customers as soon as reasonably practicable. Notice will be given to customers by U.S. Postal Service mail, email, text message, by posting notice on the District's webpage or other electronic platform (for example but not necessarily limited to a Facebook page or Twitter account), by postings in public areas of the community, or any combination of the above. The notice will include a description of the water supply emergency, a description of the specific water conservation and/or utilization restrictions being imposed by the District, and notice that violations of the water conservation and/or utilization restrictions may subject the customer to a fee equal to twice the general reconnection fee in the District's Commission-approved Terms and Conditions. The notice will also specify that each 24-hour period for which the customer is not in compliance with the water company's water conservation and/or utilization restrictions constitutes a separate violation;

- B. For the first violation of the District's water conservation and/or utilization restrictions, the District will provide a warning by U.S. Postal Service mail, email, hand delivery, text message, door hanger, or any combination of the above to each customer in violation of the District's water conservation and/or utilization restrictions. The warning will specify that each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation;
- C. For each subsequent violation of the District's water conservation and/or utilization restrictions after the violation that resulted in the warning in subsection 5(B) of this Policy, the District shall impose a fee on the customer's next water bill equal to twice the general reconnection fee contained in the water company's terms and conditions. For purposes of this fee, each 24-hour period for which the customer is not in compliance with the District's water conservation and/or utilization restrictions constitutes a separate violation. The District may disconnect customers for repeated violations of the District's water conservation and/or utilization restrictions if it deems those customers to be a threat to the safety of any person or the integrity of the District's delivery system; and
- D. The District will notify the Commission Staff of the implementation and removal of mandatory water conservation and/or utilization restrictions. Notification may be by email or telephone.

65. Appeal to the Board of Trustees

Board of Trustees will, upon motion of the District or customer, interpret the meaning and effect of the provisions of this Policy and may, for good cause shown, grant exceptions to these provisions to prevent undue hardship or injustice, or injury to health Pursuant to Section 27 of the Standing Rules of the Board of Trustees.

STATUTORY AUTHORITY: 35-A M.R.S.A. §6114 and Decision and Order of the Public Utilities Commission, dated November 13, 2015 Docket #2015-00159

EFFECTIVE DATE: ~~May 1, 2016~~ April 1, 2022

Derivation: This Policy is derived from Chapter 62 of the Rules of the Maine Public Utilities Commission