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FILE

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PUCO

BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Application of :
Water and Sewer LLC for Approval : Case No. 10-52-ST-ATA
of Certain Amendments to its Tariff, :
P.U.C.O. No. 3. :

1. APPLICANT RESPECTFULLY PROPOSES: (Check applicable proposals)

- ☐ New Service ☐ Change in Rule or Regulation
☐ New Classification ☐ Reduction in Rates
☐ Change in Classification ☐ Correction of Error
☒ Other, Not involving increases in rates
☒ Various related and unrelated textual changes, without change in intent

2. DESCRIPTION OF PROPOSALS

Pursuant to Section 4909.18, Revised Code, Water and Sewer LLC ("W&S") hereby seeks approval of certain amendments to its tariff, P.U.C.O. No. 3. In support of its application, W&S states as follows:

W&S is an Ohio limited liability company engaged in the business of supplying sewage disposal service to customers in a service area within the Village of Richfield, Ohio and adjacent unincorporated territory in Richfield Township, Summit County, Ohio. As a public utility within the definition of Section 4905.02, Revised Code, and a sewage disposal company within the definition of Section 4905.03(A)(14), Revised Code, W&S is subject to the jurisdiction of this Commission pursuant to Sections 4905.04, 4905.05, and 4905.06, Revised Code.

W&S's current tariff, P.U.C.O. No. 3, was approved by this Commission in its December 9, 2009 Finding and Order in Case No. 09-1842-WS-UNC, whereby W&S was authorized to terminate operations as a water-works public utility. Thus, the current tariff, which includes the rates, rules, and regulations governing sewer service, replaced W&S's former tariff, P.U.C.O. No 2, which governed both water and sewer service.

In anticipation of W&S's termination of its water operations, the form of the sewer tariff was addressed in the Commission-approved stipulation that resolved W&S's rate increase application in Case No. 08-227-WS-AIR. As noted in the Commission's Opinion and

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Order of May 27, 2009 in that case, the stipulation permitted W&S to delay implementation of the staff directive that the contact information for the Office of the Ohio Consumers' Counsel ("OCC") be included on customer bills (see Staff Report, Case No. 08-227-WS-AIR, 12-13) until such time as W&S's existing bill stock was exhausted or until it commenced operations as a sewer-only utility, whichever first occurred.

As explained in the application in Case No. 09-1842-WS-UNC, W&S had bill stock remaining at the time the application was filed, and had not yet ordered the new bill stock including the OCC contact information (see Application, Case No. 09-1842, at 7, n. 7). Thus, the bill format appendix to the sewer tariff (Appendix C) attached as Exhibit D to the application in Case No. 09-1842-WS-UNC, and approved by the Commission in its December 9, 2009 finding and order in that docket, continued to reflect the existing bill format. However, W&S warranted in its application that it would submit an ATA application for approval of the new bill format sufficiently in advance of February 1, 2010 – the date of the first sewer-only billing – to permit the Commission to act on the application before the first sewer-only bills utilizing the new bill format were issued. Accordingly, W&S now seeks to amend its sewer tariff by replacing existing Appendix C with the revised version of Appendix C set forth in Exhibit B hereto.

In addition to incorporating the new bill format, W&S seeks approval of two other amendments to its tariff, P.U.C.O. No. 3. First, W&S proposes to include a definition of "clean waters" in the definitions section of its tariff. Second, as is typical in the tariffs of other Commission-regulated sewage disposal companies, W&S proposes to include prohibition in the "Services and Facilities" section of its tariff against discharging clean waters into W&S's service lines or collection mains. These revisions necessitate certain non-textual changes to paragraph designations and pagination, as well as corresponding changes to the table of contents and the subject matter index.

3. CURRENT TARIFF SHEETS TO BE REPLACED:

The amendments proposed herein affect the following tariff sheets, copies of which are attached hereto as Exhibit.

Section i, Original Sheet No. 1
Section ii, Original Sheet No. 1
Section ii, Original Sheet No. 2
Section 1, Original Sheet No. 1
Section 3, Original Sheet No. 8
Appendix C

4. PROPOSED REVISED TARIFF SHEETS:

The amendments proposed herein are reflected in the following revised tariff sheets, copies of which are attached hereto as Exhibit B.

Section i, First Revised Sheet No. 1
Section ii, First Revised Sheet No. 1
Section ii, First Revised Sheet No. 2
Section 1, First Revised Sheet No. 1
Section 3, First Revised Sheet No. 8
Appendix C

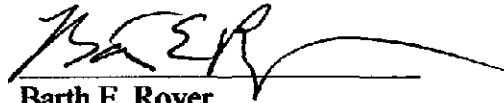
5. OFFICER VERIFICATION:

The officer verification required by Section 4909.18, Revised Code, is attached hereto as Exhibit C.

WHEREFORE, W&S respectfully requests that the Commission find as follows:

- A. That this application is an application not for an increase in rates and is properly before the Commission pursuant to Section 4909.18, Revised Code;
- B. That this application satisfies the requirements of Section 4909.18, Revised Code;
- C. That the proposals set forth in the application are just and reasonable and should be approved;
- D. That W&S should be authorized to withdraw and cancel the current tariff sheets and bill format appendix set forth in Exhibit A to the application;
- E. That W&S should be authorized to file, in final form, four printed copies of the revised tariff sheets and bill format appendix set forth in Exhibit B to the application with the Commission's Docketing Division;
- F. That one copy of the revised tariff sheets and bill format appendix should be designated for inclusion in this docket, that one copy should be designated for inclusion in W&S's TRF docket, TRF docket No. 89-7045-WS-TRF (or, if filed electronically, as directed in Case No. 06-900-AU-WVR), and that two copies should be designated for distribution to the Rates and Tariff, Energy and Water Division of the Commission's Utilities Department; and
- G. That the revised sheets and bill format appendix shall be effective upon filing without further entry by the Commission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barth E. Royer', with a long horizontal flourish extending to the right.

Barth E. Royer
Bell & Royer Co., LPA
33 South Grant Avenue
Columbus, Ohio 43215-3927
(614) 228-0704 – Telephone
(614) 228-0201 – Fax
BarthRoyer@aol.com – Email

Attorney for Water and Sewer LLC

EXHIBIT A

Current P.U.C.O. No. 3 Tariff Sheets to be Replaced

Section i, Original Sheet No. 1

Section ii, Original Sheet No. 1

Section 1, Original Sheet No. 1

Section 1, Original Sheet No. 2

Section 3, Original Sheet No. 8

Appendix C

Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section i
Original Sheet No. 1

TABLE OF CONTENTS

	<u>Section</u>	<u>Sheet No.</u>
Table of Contents	i	1-2
Subject Index	ii	1-2
General Provisions	1	1-2
Definitions	1	1
Applicability	1	1-2
Notification of Customer Rights	1	2
Rates, Charges, Billing and Payment	2	1-2
Applicability	2	1
Rates and Charges for Sewer Service	2	1
Billing and Payment	2	1
Reconnection Charge	2	1
Dishonored Payment Charge	2	2
Bill Adjustments	2	2
Special Arrangements	2	2
Service and Facilities	3	1-8
Applications for Service	3	1
Service Connection and Company Line Installation	3	1
Customer Service Line Installation	3	1-2
Relocation of Service Connection	3	2
Access to Customer Premises	3	2
Interruptions of Service	3	2
Prohibited Connections	3	3
Disconnection of Service	3	3-6
Reconnection of Service	3	6-7
Complaints	3	7-8

Issued: December 14, 2009

Effective: December 14, 2009

Filed Pursuant to PUCO December 9, 2009 Finding and Order in
Case No. 09-1842-WS-UNC
Issued by Randy Kertesz, Acting President

Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section ii
Original Sheet No. 1

SUBJECT INDEX

	<u>Section</u>	<u>Sheet No.</u>	<u>Effective Date</u>
Access to Customer Premises	3	2	12/14/09
Applicability (Rates and Charges)	2	1	12/14/09
Applicability (Tariff)	1	1-2	12/14/09
Applications for Service	3	1	12/14/09
Application for Service Form	Appendix B		12/14/09
Bill Adjustments	2	2	12/14/09
Bill Format	Appendix C		12/14/09
Billing and Payment	2	1	12/14/09
Complaints	3	7-8	12/14/09
Cost Estimate	4	1-2	12/14/09
Customer Guarantee of Acceptance of Service	4	4	12/14/09
Customer Service Line Installation	3	1-2	12/14/09
Definitions	1	1	12/14/09
Disconnection of Service	3	3-6	12/14/09
Dishonored Payment Charge	2	2	12/14/09
Interruptions of Service	3	2	12/14/09
Main Extension Agreements	4	1	12/14/09
Main Extensions and Related Facilities	4	1	12/14/09
Method of Payment	4	2-3	12/14/09
Multiple Applicants	4	3	12/14/09

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PUCO No. 3

Section ii
Original Sheet No. 2

	<u>Section</u>	<u>Sheet No.</u>	<u>Effective Date</u>
Notification of Customer Rights	1	2	12/14/09
Notification of Customer Rights (Text)	Appendix A		12/14/09
Ownership	4	1	12/14/09
Prohibited Connections	3	3	12/14/09
Rates and Charges for Sewer Service	2	1	12/14/09
Reconnection Charge	2	1	12/14/09
Reconnection of Service	3	6-7	12/14/09
Refunds of Customer Advances in Aid of Construction	4	3-4	12/14/09
Relocation of Services and Meters	3	2	12/14/09
Service Area Map	5	1	12/14/09
Service Connection and Company Service Line Installation	3	1	12/14/09
Service Connection and Tap-In Fees	4	6	12/14/09
Specifications and Construction	4	1	12/14/09
Subject Index	ii	1-2	12/14/09
Subsequent Connections, Service Connections and Tap-Ins	4	4-6	12/14/09
Table of Contents	i	1	12/14/09
Temporary Service	4	4	12/14/09
True-Up Adjustments	4	3	12/14/09

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SECTION 1 – GENERAL PROVISIONS

1. **Definitions:** As used herein:
 - A. “Commission” means the Public Utilities Commission of Ohio.
 - B. “Company” means Water and Sewer LLC.
 - C. “Company service line” means that portion of the service line between the collection main, up to and including the sewer inlet connection, at or near the property line, right-of-way, or easement line, maintained at the cost of the Company.
 - D. “Customer” means any person who enters into an agreement with the Company to receive sewage disposal service.
 - E. “Customer service line” means that portion of the service line from the Company service line to the structure or premises, supplied, installed, and maintained at the cost of the customer.
 - F. “Collection main” means a pipe that collects or transports wastewater from customer service line to the Company’s treatment facility.
 - G. “Service connection” means the connection of the Company’s service line with the customer’s service line at or near the property line, which connection enables the customer to receive service.
 - H. “Tap-in” means the connecting of a Company service line to a collection main.
2. **Applicability.** Sewer service provided by the Company is furnished subject to the terms and conditions set forth in this tariff, which has been filed with and approved by the Commission. In the case of any conflict between these terms and conditions of service and the Standards for Waterworks Companies and Sewage Disposal System Companies

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Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section 3
Original Sheet No. 8

complaints in accordance with Rule 4901:1-15-14(D), OAC. If the complainant is not satisfied with the Company's report, the Company shall promptly inform the customer of the availability of the Commission's complaint handling procedures, including the current address and the toll-free telephone number of the Commission's Call Center. The Company will also investigate customer complaints referred to it by the Commission. The Company will submit a report to the Commission within ten business days after the receipt of a Commission request for information concerning a complaint(s). The report shall outline the Company's investigation and any corrective measure(s) taken. The Company shall submit reports in writing upon Commission request.

Issued: December 14, 2009

Effective: December 14, 2009

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The following images were scanned as received

Appendix C

**FOR UNEMPLOYED INDIVIDUALS, YOU NOW CALL THE
PLUCO PLUMAC INTEREST CENTER'S
TOLL FREE NUMBER AT 1-800-695-7500,
OR 916-938-5000 IF YOU ARE 1-800-695-7500**

EXHIBIT B

Proposed Revised P.U.C.O. No. 3 Tariff Sheets

Section i, First Revised Sheet No. 1

Section ii, First Revised Sheet No. 1

Section 1, First Revised Sheet No. 1

Section 1, First Revised Sheet No. 2

Section 3, First Revised Sheet No. 8

Appendix C

Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section i
First Revised Sheet No. 1

TABLE OF CONTENTS

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Notification of Customer Rights	1	2
Rates, Charges, Billing and Payment	2	1-2
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Billing and Payment	2	1
Reconnection Charge	2	1
Dishonored Payment Charge	2	2
Bill Adjustments	2	2
Special Arrangements	2	2
Service and Facilities	3	1-8
Applications for Service	3	1
Service Connection and Company Line Installation	3	1
Customer Service Line Installation	3	1-2
Relocation of Service Connection	3	2
Access to Customer Premises	3	2
Interruptions of Service	3	2
Prohibited Connections	3	3
Disconnection of Service	3	3-6
Reconnection of Service	3	6-7
Complaints	3	7-8
Prohibited Discharges	3	8

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Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section ii
First Revised Sheet No. 1

SUBJECT INDEX

	<u>Section</u>	<u>Sheet No.</u>	<u>Effective Date</u>
Access to Customer Premises	3	2	12/14/09
Applicability (Rates and Charges)	2	1	12/14/09
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Disconnection of Service	3	3-6	12/14/09
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Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44122

PUCO No. 3

Section ii
First Revised Sheet No. 2

	<u>Section</u>	<u>Sheet No.</u>	<u>Effective Date</u>
Notification of Customer Rights	1	2	12/14/09
Notification of Customer Rights (Text)	Appendix A		12/14/09
Ownership	4	1	12/14/09
Prohibited Connections	3	3	12/14/09
Prohibited Discharges	3	8	
Rates and Charges for Sewer Service	2	1	12/14/09
Reconnection Charge	2	1	12/14/09
Reconnection of Service	3	6-7	12/14/09
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Issued by Randy Kertesz, Acting President

SECTION 1 – GENERAL PROVISIONS

1. **Definitions:** As used herein:
 - A. "Clean waters" means all waste waters other than sewage, including, but not limited to, roof and footer runoff and surface drainage.
 - B. "Commission" means the Public Utilities Commission of Ohio.
 - C. "Company" means Water and Sewer LLC.
 - D. "Company service line" means that portion of the service line between the collection main, up to and including the sewer inlet connection, at or near the property line, right-of-way, or easement line, maintained at the cost of the Company.
 - E. "Customer" means any person who enters into an agreement with the Company to receive sewage disposal service.
 - F. "Customer service line" means that portion of the service line from the Company service line to the structure or premises, supplied, installed, and maintained at the cost of the customer.
 - G. "Collection main" means a pipe that collects or transports wastewater from customer service line to the Company's treatment facility.
 - H. "Service connection" means the connection of the Company's service line with the customer's service line at or near the property line, which connection enables the customer to receive service.
 - I. "Tap-in" means the connecting of a Company service line to a collection main.
2. **Applicability.** Sewer service provided by the Company is furnished subject to the terms and conditions set forth in this tariff, which has been filed with and approved by the Commission. In the case of any conflict between these terms and conditions of service and the Standards for Waterworks Companies and Sewage Disposal System Companies

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complaints in accordance with Rule 4901:1-15-14(D), OAC. If the complainant is not satisfied with the Company's report, the Company shall promptly inform the customer of the availability of the Commission's complaint handling procedures, including the current address and the toll-free telephone number of the Commission's Call Center. The Company will also investigate customer complaints referred to it by the Commission. The Company will submit a report to the Commission within ten business days after the receipt of a Commission request for information concerning a complaint(s). The report shall outline the Company's investigation and any corrective measure(s) taken. The Company shall submit reports in writing upon Commission request.

11. Prohibited Discharges. No customer shall cause the discharge of Clean waters into any Company service line or Collection main without the consent of the Company. The Company may prohibit the discharge of non-domestic sewage into any Company service line or Collection main, or may require pre-treatment of non-domestic sewage prior to permitting it to be discharged into any Company service line or Collection main.

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Water and Sewer LLC
3439 West Brainard Road
Suite 260
Woodmere, Ohio 44412

PUCO No. 3

Appendix C

BILL FORMAT

SEE BACK FOR IMPORTANT INFORMATION

WATER AND SEWER, LLC
3439 WEST BRAINARD ROAD, SUITE 260
WOODMERE, OH 44122
1-800-273-0287

SERVICE TO:					
SERVICE FROM		SERVICE TO		PAST DUE AMOUNT	
SERVICE	PREVIOUS READING	PRESENT READING	CONSUMPTION		
SERVICE	DESCRIPTION			AMOUNT	
ACCOUNT NUMBER			SERVICE ID. NUMBER		
DUE DATE		PAY BY DUE DATE		PAY AFTER DUE DATE	

RETURN THIS PORTION WITH PAYMENT

ACCOUNT NUMBER		SERVICE ID. NUMBER	
BILL DATE		DUE DATE	
PAY BY DUE DATE		PAY AFTER DUE DATE	

PLEASE RETURN THIS PORTION
WHEN MAKING PAYMENT.
IF PAYING IN PERSON BRING
ENTIRE BILL

WATER AND SEWER, LLC
3439 WEST BRAINARD ROAD, SUITE 260
WOODMERE, OH 44122
1-800-273-0287

OFFICE HOURS
MONDAY THRU FRIDAY
9:00 A.M. TO 4:30 P.M.

AMOUNT AFTER DUE DATE
INCLUDES 1.5% LATE PAYMENT CHARGE

YOUR BILL IS BASED ON THE PUCO APPROVED
RATES FOUND IN SECTION 2, ORIGINAL SHEET
NO. 1, IN THE COMPANY'S TARIFF. A COPY OF
THE RATE SCHEDULE WILL BE FURNISHED
UPON REQUEST.

PLEASE MAKE CHECKS PAYABLE TO:

WATER AND SEWER, LLC
3439 WEST BRAINARD ROAD, SUITE 260
WOODMERE, OH 44122

TYPE OF BILL
WS - WATER SERVICE SS - SEWER SERVICE
EST - ESTIMATED BILL FB - FINAL BILL
MR - METER READING MS - MISC

FAILURE TO RECEIVE BILL DOES NOT
RELIEVE CUSTOMER OF LATE PAYMENT CHARGE
FOR UNRESOLVED INQUIRIES, YOU MAY CALL
THE PUCO, TOLL FREE, AT 1-800-686-7826,
OR (TTY) 1-800-686-1570
RESIDENTIAL CUSTOMERS MAY
ALSO CALL OGC, TOLL FREE, AT
1-877-742-6622

KEEP THIS PORTION FOR
YOUR RECORDS

EXHIBIT C

Officer Verification

VERIFICATION

State of Ohio :
 : SS
County of Cuyahoga :

I, Randy Kertesz, acting president of Water and Sewer LLC, and I, Ronnie M. Kertesz, acting secretary of Water and Sewer LLC, hereby affirm that the information contained in this application is true and correct to the best of our knowledge.

Acting President

Acting Secretary

Sworn to and subscribed before me a Notary Public for said County and State, on this
19 day of January 2010.

Notary Public



STACY MAXSON
Notary Public, State of Ohio
My Commission Expires January 30, 2013