

FILE

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**BEFORE
THE PUBLIC UTILITIES COMMISSION OF OHIO**

Application Not for an Increase in Rates,
Pursuant to Section 4909.18 Revised Code

In the Matter of the Application of)
Consumers Ohio Water Company) Case No. 03-1935-WW-ATA
Suburban Division to Amend Its)
Its Tariff, P.U.C.O. No. 1 to Conform the)
Tariff to changes in Rules and Regulations)

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 revisions, without change in intent

2. DESCRIPTION OF PROPOSAL:

Revisions to various tariffs sheets to amend tariff to conform to revisions to rules and regulations issued by the Public Utilities Commission in Case No. 01-2775-WS-ORD.

3. Consumers Ohio Water Company, Suburban Division, P.U.C.O. Tariff No. 1 pages that are being revised.

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Technician J Date Processed 9.11.03

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4. Attached hereto and made a part hereof are:

(X) Exhibit A – the following existing tariff sheets to be superseded:

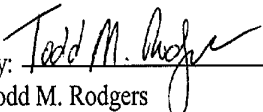
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(X) Exhibit B –the following proposed new tariff sections:

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5. This application will not result in an increase in any rate, joint rate, toll, classification, charge or rental.
6. Applicant respectfully requests the Commission to permit the filing of the proposed tariff sheets, to become effective on the date, subsequent to filing, to be shown on the proposed tariff sheets which will be filed with the Commission; and to be in the form of the tariff sheets in Exhibit B, modified by any further revisions that have become effective prior to the effective date of the proposed schedule sheets.

CONSUMERS OHIO WATER COMPANY
Applicant

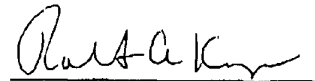
By: 
Todd M. Rodgers
CHESTER, WILLCOX & SAXBE, LLP
65 E. State Street, Suite 1000
Columbus, Ohio, 43215-3413
Ph: (614)-221-4000

Attorney for Consumers Ohio Water Company

VERIFICATION

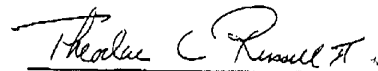
STATE OF OHIO)
)
COUNTY OF _____) ss.

I, Robert A. Kopas, Vice-President of Consumers Ohio Water Company, verify that the information contained in this application is not for an increase in rates and only to revise tariff sheets to be consistent with changes in rules and regulations and is true and correct to the best of my knowledge and belief.


Robert A Kopas

Dated: 9/11/2003

Sworn and subscribed before me this 11th day of September, 2003.


Notary Commission

THEODORE C. RUSSELL II, Notary Public
State of Ohio
My Commission Expires July 7, 2008



EXHIBIT A

EXISTING
TARIFF SHEETS

P.U.C.O. TARIFF NO. 1

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Effective: October 21, 2002

Issued by Walter J. Pishkur, President, Consumers Ohio Water Company
In accordance with the Public Utilities Commission of Ohio
Order Dated October 3, 2002 for Case No. 02-1017-WW-UNC

Consumers Ohio Water Company
Suburban Division

Section 3
Original Sheet No. 1

P.U.C.O. TARIFF NO. 1

GENERAL RULES AND REGULATIONS

Nothing within this Tariff shall take precedence over the rules set forth in the Administrative Code of the Public Utilities Commission of Ohio, Chapter 4901:1-15; unless otherwise specifically ordered by the Public Utilities Commission of Ohio pursuant to Rule 4901:1-15-01 of the Administrative Code.

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P.U.C.O. TARIFF NO. 1

EXPLANATION OF TERMS

ADJACENT BUILDINGS – A group of two or more buildings on the same lot or parcel of land not separated by any street, avenue, thoroughfare, alley or other public right of way, except where the customer owns and/or leases a lot or parcel of land on both sides of a street, avenue, thoroughfare, alley or public right of way which lots or parcels of land otherwise would be contiguous, such building thereon shall be considered adjacent.

APPLICATIONS –

- (1) An application for the installation of a customer service line shall be in writing on forms prescribed by the Company and filed with and approved by the Public Utilities Commission of Ohio.
- (2) An application for water service may be made orally, but the Company reserves the right to require such application to be made in writing on forms prescribed by the Company and filed with and approved by the Public Utilities Commission of Ohio.

COMPANY – Consumers Ohio Water Company, Suburban Division

COST – The expenditure by the Company for labor, materials, engineering, supervision, motor vehicles and tools, and any other expenditures incidental thereto to the extent that any or all of such items are directly assignable to the particular situation involved, except when modified by the word “estimated”, in which case it shall be the estimated expenditure for such item.

CUSTOMER – A person who has contracted (whether orally or in writing, or expressed or implied) for water service to be supplied to one premises.

METER – The Company approved device or apparatus, including associated remote registers, used to measure all water passing through a customer service line.

MONTHLY CONSUMPTION – The amount of water passing through the customer's meter (or for billing purposes, estimated to have passed through such meter) in a monthly billing cycle which equals approximately 30 days.

MONTHLY BILL – A bill is rendered each month. The monthly bill is determined by applying the applicable rate(s) to the consumption shown on the bill. The consumption shown on the bill may be from actual meter reading or may be estimated

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P.U.C.O. TARIFF NO. 1

EXPLANATION OF TERMS (continued)

(10) Any building not otherwise defined as premises in any other definition of premises contained herein.

SERVICE CONNECTION – The connection of the Company's service line with the customer's service line at or near the curb line, which connection enables the customer to receive service

SERVICE LINES –

- (1) The Company service line is the water line and related facilities from the main to and including the curb stop or control valve.
- (2) The customer service line is the water line and related facilities from the Company service line to the premises to be served.

TAP-IN – The connecting of a Company service line to the distribution or collection main.

WATER SUPPLIED – All water which passes through the meters

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P.U.C.O. TARIFF NO. 1

GENERAL REGULATIONS GOVERNING SERVICE

1. When the supply of water is to be temporarily interrupted by the Company, it will give three (3) days advance written notice thereof as provided for in the Ohio Administrative Code.
2. In the interest of public health, mains, service lines or other pipes may not be connected with any service line or piping which the Company knows or has good reason to believe is connected with any other sources of water supply, nor may said mains, service lines or other pipes be connected in any way to any piping, tank, vat or other apparatus which contains liquids, chemicals or any other matter which may flow back into said mains, service lines or other pipes and which may endanger or otherwise contaminate the water supply.
3. The Company shall not be liable for a deficiency or failure, regardless of cause (except as a result of willful misconduct or negligence) in the supply of water or in the pressure, nor for any damage caused thereby, or by the bursting or breaking of any main or service line or any attachment to the mains and service lines or other facilities used by the Company. All damage to a customer's boilers or other equipment depending upon pressure in mains and service lines to keep them supplied with water shall be borne exclusively by the customer.
4. When an application is made for the installation of a Company service line for water service or for the reinstatement of water service, the Company shall be entitled to assume that the piping and fixtures to which the service will be supplied are in good order to receive such service, but reserves the right to inspect said facilities to assure against possible damage and cross connections.
5. Water will not be furnished where pipes are inferior, the plumbing defective; or the faucets, water-closets or other fixtures leak or are imperfect. When such conditions are discovered, the supply of water may be cut off until repairs are made with no less than 14 days prior written notice by the Company.
6. The Company shall have the sole right to determine the size, type and location of meters; meter settings, valves, service lines and connections necessary to provide the service applied for.
7. Exclusive operating control of all service lines from main to meter, and meters and meter installations shall at all times remain with the Company, and shall not be interfered with in any respect.
8. When a supply of water for building-construction purposes is applied for, such supply shall be furnished under the regulations applicable to regular, permanent service. Special, temporary requirements for water service may be met by applying for the same at the office of the Company.
9. The customer shall not, without Company consent, use water for any purpose or upon any premises not stated in the application for service.

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P.U.C.O. TARIFF NO. 1

GENERAL REGULATIONS GOVERNING SERVICE (continued)

- 3) The customer must be given not less than fourteen (14) days written notice before service is disconnected when any of the following conditions exist:
 - (a) For non-payment of any tariffed charges when due or within any additional period for payment permitted by the Company, or for not making a deposit as required. Disconnection of service for non-payment may not occur prior to fourteen days after the due date;
 - (b) For any violation of, or failure to comply with, the regulations of the Company other than stated in Paragraph (A) (1) above;
 - (c) For misrepresentation in the application as to any material fact;
 - (d) For denial to the Company of reasonable access to the premises for the purpose of inspection; or
 - (e) For violation of Federal, state, or local laws or ordinances where such violation affects the provision of utility service by the Company.
- B. Service may not be refused or disconnected to any customer or refused to any applicant for service for any of the following reasons:
 - 1) Failure to pay for service furnished to a customer formerly receiving service at the premises, unless the former customer continues to reside at the premises;
 - 2) Failure to pay for a class of service different from the service provided for at the location of the account;
 - 3) Failure to pay any amount which, according to established payment dispute and resolution procedures, is in bona fide dispute;
 - 4) Failure to pay any charge not specified in the Company's tariff.

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P.U.C.O. TARIFF NO. 1

GENERAL REGULATIONS GOVERNING SERVICE (continued)

- d) Has corrected any condition in violation of the regulations of the Company; and
 - e) Has made or maintained a deposit in accordance with Section 3-4; paragraph 4 of this Tariff.
13. When a customer's meter cannot be read for a period exceeding three months for accounts read monthly after the latest prior reading, the Company may discontinue service to the customer upon giving a fourteen days written notice mailed to him of its intention to do so, unless the customer shall promptly make access to the meter possible during the Company's regular business hours on any day except Saturday, Sunday and holidays, and notify the Company thereof. If the customer notifies the Company that he can promptly make access to the meter possible only during a time and day other than during the Company's regular business hours, the Company shall make a charge for the actual cost of such meter reading service.
14. Any employee or agent of the Company seeking access to the dwelling or structure of a customer shall voluntarily identify himself, provide proper Company photo identification, and shall state reason for his visit. The employee or agent shall in all cases direct himself to a person holding out himself or herself as being responsible for the dwelling or structure. Entrance will not be sought or gained by subterfuge or force. The Company shall be responsible for any damage done by its employees when such damage results from willful misconduct or negligent act and within the scope of employment.
15. Complaints with regard to the character of service furnished, or to the reading or registration of meters or to the bills rendered must be made to the Company's office, either orally or in writing, and a record of such complaint will be kept by the Company, giving the name and address of the complainant, the date, the nature of the complaint, and the action taken or decision made by the Company with respect to it. The Company shall investigate the complaint and report the results of such investigation to the customer within ten (10) business days of the receipt of the complaint. If the complainant is not satisfied with the results, the Company shall inform the customer of the Commission's P.I.C. telephone number and address.
16. The Company shall make a charge to a customer for emergency service calls on Saturday, Sunday and holidays and at other than the Company's regular business hours on all other days where the cause is the responsibility of such customer. The charge shall be sufficient to reimburse the Company for the expense in making the call.
17. The Company reserves the right at any time to alter, amend or add to the regulations of this tariff or to substitute other regulations, and all such alterations, amendments and additions will be filed and approved by the Public Utilities Commission of Ohio as provided by law.

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P.U.C.O. TARIFF NO. 1

CONTRACTS FOR WATER SERVICE

1. All applications for service, written or oral, must state the uses to which the water is to be applied. A separate application is required for each meter. Also, a separate application is required for each service line for private fire protection service. Upon the commencement of service by the Company, the customer becomes obligated to pay for the water service furnished, and both the Company and the customer become obligated to abide by all the terms and provisions of the tariff then in effect and as the same may be lawfully altered, amended or otherwise modified.
2. When a change of occupancy occurs in any premises receiving water service, an application by the new occupant must be made to the Company. Each person accepting water service from the Company without making proper application therefore shall be deemed to be a customer for the purpose of all applicable tariffs of the Company. However, the Company may terminate such person's service, upon fourteen (14) days notice, until proper application is made.
3. When the Company becomes aware that there has been a change of occupancy at a premises, the Company will promptly thereafter read the meter. The current occupant will be liable for service, to be calculated on an estimated basis from monthly remote meter read data, from the date of occupancy to the reading of the meter. The current occupant will not be held liable for any service provided at that premises prior to that occupant's date of actual possession of the premises.
4. When an application for water service is made, or when the Company deems it necessary, the Company has the right, subject to the provisions of the Public Utilities Commission of Ohio Code of Rules and Regulations 4901:1-17 to require a cash deposit to secure the payment of bills.
5. If a customer whose service has been disconnected for nonpayment of one or more bills for water service or for violation of or failure to comply with the regulations of the Company desires a reconnection, it may be made pursuant to the Ohio Administrative Code Rule 4901:1-15-30.
6. In the case of temporary service the Company shall require a deposit pursuant to Ohio Administrative Code Rule 4901:1-17 and Ohio Revised Code Section 4933.17, if applicable. In addition to that deposit, the Company may charge the customer the actual reasonable cost of labor and material, including the meter, which is required to make the service available and to subsequently remove the service, minus the salvage value of materials, if any. If the Company charged the customer before the actual cost was determined, a refund shall be made if the amount charged exceeds the actual cost of such labor as discussed above.

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P.U.C.O. TARIFF NO. 1

METERED SERVICE (continued)

7. Meters will be maintained by the Company so far as ordinary wear and tear are concerned. Damages resulting from freezing within the customer's premises; hot water backflow, or negligence or purposeful act of the customer shall be paid by the customer. Costs for removing, testing, repairing and reinstalling a meter damaged by freezing, hot water or negligence or purposeful act of the customer shall be paid by the customer.
8. The Company reserves the right to remove and test any meter at any time, and substitute another meter in its place. In case of a disputed charge for service involving a question as to the accuracy of a meter, such meter will be removed for test upon the request of the customer and a charge shall be made as set forth in Item 9, Section 3-6 of this Master Tariff. In the event that the meter so tested is found to have an error in registration greater than the limits set forth in Item 8 c) below the fee advanced will be refunded within thirty (30) days, and the bill shall be corrected accordingly. The correction shall apply both for over and under registration.
 - a) All meters used for measuring quantity of water delivered to a customer shall be in good mechanical condition and shall be adequate in the size and design for the type of service which they measure and shall be accurate in accordance with AWWA Standards for displacement and turbine type meters.
 - b) The minimum, intermediate and maximum test flow limits for positive displacement and turbine type cold water meters are as specified in the most current AWWA Manual M6.
 - c) Displacement meters shall be tested at each of the rates of flow stated above for the various size meters. A new meter shall not be placed in service if it registers less than 95% of the water passed through it at the minimum test flow or over-registers or under-registers more than 1-1/2% at the intermediate and maximum limit. A repaired meter shall not be placed in service if it registers less than 90% of the water passed through it at the minimum test flow or over-registers or under-registers more than 1-1/2% at the intermediate and maximum limit.
 - d) All meters tested in accordance with these rules for periodic or complaint tests shall be tested in the condition as found in the customer's service prior to any alteration or adjustment in order to determine the average meter error. Tests shall be made at the intermediate and maximum rates of flow and the meter error shall be the algebraic average of the errors of the two tests.
9. If any customer requests a meter test the charge for the test shall be \$10 for meters up to and including 3/4" in size and at actual cost to the Company for all meters over 3/4" in size. All charges will be paid in advance. If the meter fails to meet the specifications, the advanced charge will be refunded within thirty (30) days.
10. If the Company finds that as a result of the customer's willful act a meter seal has been broken, or any bypass inserted, or there is other evidence that the meter has been tampered with, the water may be shut off.

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P.U.C.O. TARIFF NO. 1

EXTENSION OF MAINS

The Company shall extend mains and provide related facilities to serve new customers in accordance with the Ohio Administrative Code ("O.A.C.") Rule 4901:1-15-32 (Main Extensions and Related Facilities) and O.A.C. Rule 4901:1-15-33 (Subsequent Connections, Service Connections and Tap-Ins), as amended from time to time, adopted by the Public Utilities Commission of Ohio, except as follows: Contrary to O.A.C. Rule 4901:1-15-32-(H), which would otherwise require an applicant for a main extension to advance the Company the estimated cost of the main extension, related facilities, and in some cases the tax impact, prior to commencement of construction; the Company may defer the requirement of the advancement of such costs by the applicant until a later date or dates, provided that in the case of such deferral (s), the costs must be paid by the applicant prior to water service being rendered to one or more customers through the main extension, or portion thereof, as to which the deferral relates. All main extensions and subsequent connections to main extensions shall be made pursuant to written contracts between the Company and its customers, to which shall be attached copies of the then current O.A.C. Rule 4901:1-15-32 and O.A.C. Rule 4901:1-15-33.

The foregoing paragraph shall not be applicable in instances where main extensions and subsequent connections shall be made pursuant to rules established by municipal ordinances or otherwise in preemption of the jurisdiction of the Public Utilities Commission of Ohio in compliance with the constitution and statutes of the State of Ohio.

The primary purpose of the application of the following provisions is to cause allocation of the capital costs of main extensions and related facilities to the persons requesting that additional plant facilities and capacity be provided so as to render additional water service, rather than placing the burden of those costs on existing rate payers, who have borne the economic burden of funding the cost of theretofore existing water plant and capacity to provide existing water service. As a result, a "main extension" includes, in addition to the capital cost of any mains or piping required, the capital cost of any infrastructure improvements directly required to provide water service through such mains or piping, such as the capital cost of any dedicated booster stations or storage facilities. Also, for the purpose of accurate characterization, the fee payable for the cost of the main extension, infrastructure improvements, and related facilities shall in Sheet Nos. 1 and 3 through 6 of this Section 3-7 of this tariff will be referred to as the "capital investment fee".

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P.U.C.O. TARIFF NO. 1

Notwithstanding any provisions of the Ohio Administrative Code Rules regarding subsequent connections found in section 4901:1-15-33 of the Ohio Administrative Code, whenever the owner of any lot abutting a main extension (hereinafter "subsequent applicant"), who is not a party to the main extension agreement, requests service, the subsequent applicant shall pay either a per foot frontage connection charge calculated in accordance with Section 4901:1-15-33 of the Ohio Administrative Code or a per-lot connection charge calculated as set forth below as determined by the main extension agreement.

- A. Lot Connection Method.
 - 1. The lot connection charge shall be computed by taking the Company's total cost of said main, if said main is of eight inch (8") diameter pipe or smaller, or if said main is larger than 8 inch (8") diameter pipe then by the estimated cost of a main of eight inch (8") diameter pipe constructed under the same conditions, and dividing such costs by the total number of actual and potential lots (receiving service from the main), but not including any lots for which water service has been or may become available from an existing main of the system.
 - 2. Each applicant for water service situated along said main which lot and potential lot(s) was (were) taken into consideration in computing the lot connection charge shall pay to the Company, at the time of making application for service, a total lot connection charge as computed under Item A, paragraph 1.
- B. Provisions of the Consumers Ohio Water Company, Suburban Division, Tariff P.U.C.O. No. 1, Section 3-7, Sheet 1, and regulations described there which are not in conflict with subparagraph (A) above shall continue to apply.

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P.U.C.O. TARIFF NO. 1

CUSTOMER FINANCING PLAN
FOR CONNECTION TO WATER SERVICE

Terms and Conditions

Consumers Ohio Water Company will offer a financing plan to individual homeowner customers who, upon request, make an initial connection to any portion of the Company's distribution system for which the Company collects a frontage connection fee for such connection. The customer contribution of an individual homeowner to a main extension may also be financed under this plan. Such a homeowner may elect to finance eligible costs in equal payments, payable as the homeowner initially elects from over three (3) years (*36 months*) up to ten (10) years (*120 months*). Payment amounts under the financing plan will be itemized and assessed as a surcharge on regular water bills rendered to the homeowner (or "customer"). Partial payments of a customer's bill will be applied to the water service charges first and then to the finance payments. Any and all indebtedness that remains at the time when the customer's account is closed, for any reason, shall be immediately due and payable and shall be made part of the final bill.

"Eligible costs" for financing include charges designated by the Ohio Administrative Code 4901:1-15-32, 4901:1-15-33, and the Company's tariffed water main extension policy (as these provisions apply when read together) that pertain to any applicable frontage connection charges, customer contributions towards a main extension, and any required related facilities charges. "Eligible costs" also include the cost of the customer's service line from the Company's shut-off valve to the dwelling, including the cost incurred to disconnect a previous water source and connect the customer's new service line. Such service line shall remain the property of the customer, and all maintenance therefore shall be the responsibility of the customer. Eligible costs shall not exceed the actual costs assessed to the customer.

The interest rate on the financing plan will be fixed for the term of the customer payments and will be equal to the Company's short term debt rate to be posted twice per year, on June 30 and December 31, but shall not exceed eight percent (8%) per annum.

Customer payments under the financing plan will be subject to a late payment fee of five percent (5%) of the payment amount if it is paid after the due date as specified on the customer bill. Non-payment of a monthly amount under the financing plan by the date of the next monthly due date listed on the customer bill shall make any and all indebtedness under the financing plan immediately due and payable and subject, at the discretion of the Company, to collection. Water service will not be terminated on the basis of non-payment of a monthly amount under the financing plan.

The financing plan for an individual homeowner's connection to the Company's distribution system will be effective upon proper execution of an Agreement of Customer (which Agreement includes a "Credit Disclosure Form" and "Amount Financed Itemization" sheet) as provided in this Tariff.

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EXHIBIT B

PROPOSED REPLACEMENT
TARIFF SHEETS

Consumers Ohio Water Company
Suburban Division

Table of Contents
First Revised Sheet No. 1
Canceling Original Sheet No. 1

P.U.C.O. TARIFF NO. 1

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Suburban Division

Section 3
First Revised Sheet No. 1
Canceling Original Sheet No. 1

P.U.C.O. TARIFF NO. 1

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Consumers Ohio Water Company
Suburban Division

Section 3-1
First Revised Sheet No. 1
Canceling Original Sheet No. 1

P.U.C.O. TARIFF NO. 1

EXPLANATION OF TERMS

ADJACENT BUILDINGS – A group of two or more buildings on the same lot or parcel of land not separated by any street, avenue, thoroughfare, alley or other public right of way, except where the customer owns and/or leases a lot or parcel of land on both sides of a street, avenue, thoroughfare, alley or public right of way which lots or parcels of land otherwise would be contiguous, such building thereon shall be considered adjacent.

APPLICATIONS –

- (1) An application for the installation of a customer service line shall be in writing on forms prescribed by the Company and filed with and approved by the Public Utilities Commission of Ohio.
- (2) An application for water service may be made orally, but the Company reserves the right to require such application to be made in writing on forms prescribed by the Company and filed with and approved by the Public Utilities Commission of Ohio.

COMPANY – Consumers Ohio Water Company, Suburban Division

COST – The expenditure by the Company for labor, materials, engineering, supervision, motor vehicles and tools, and any other expenditures incidental thereto to the extent that any or all of such items are directly assignable to the particular situation involved, except when modified by the word “estimated”, in which case it shall be the estimated expenditure for such item.

CUSTOMER – A person who has contracted (whether orally or in writing, or expressed or implied) for water service to be supplied to one premises.

DISTRIBUTION MAIN– A pipe that transports or distributes water from the supply system to the service line of a water customer.

METER – The Company approved device or apparatus, including associated remote registers, used to measure all water passing through a customer service line.

MONTHLY CONSUMPTION – The amount of water passing through the customer’s meter (or for billing purposes, estimated to have passed through such meter) in a monthly billing cycle which equals approximately 30 days.

MONTHLY BILL – A bill is rendered each month. The monthly bill is determined by applying the applicable rate(s) to the consumption shown on the bill. The consumption shown on the bill may be from actual meter reading or may be estimated.

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Suburban Division

Section 3-1
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P.U.C.O. TARIFF NO. 1

EXPLANATION OF TERMS (continued)

- (10) Any building not otherwise defined as premises in any other definition of premises contained herein.

SERVICE CONNECTION – 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.

SERVICE LINES –

- (1) The Company service line is the portion of the service line between the distribution main up to and including the curb stop or water outlet at or near the property line, right-of-way, or easement line maintained at the cost of the company.
- (2) The customer service line is the portion of the service line from the company's service line to the structure or premises which is supplied, installed, and maintained at the cost of the customer.

TAP-IN – The connecting of a Company service line to the distribution or collection main.

WATER SUPPLIED – All water which passes through the meters or sold to the customer in bulk.

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GENERAL REGULATIONS GOVERNING SERVICE

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P.U.C.O. TARIFF NO. 1

GENERAL REGULATIONS GOVERNING SERVICE (continued)

- 3) The customer must be given not less than fourteen (14) days written notice before service is disconnected when any of the following conditions exist:
- (a) For non-payment of any tarified charges when due or within any additional period for payment permitted by the Company, or for not making a deposit as required. Disconnection of service for non-payment may not occur prior to fourteen days after the due date;
 - (b) For any violation of, or failure to comply with, the regulations of the Company other than stated in Paragraph (A) (1) above;
 - (c) For misrepresentation in the application as to any material fact;
 - (d) For denial to the Company of reasonable access to the premises for the purpose of inspection; or
 - (e) For violation of Federal, state, or local laws or ordinances where such violation affects the provision of utility service by the Company.
- B. Service may not be refused or disconnected to any customer or refused to any applicant for service for any of the following reasons:
- 1) Failure to pay for service furnished to a customer formerly receiving service at the premises, unless the former customer continues to reside at the premises;
 - 2) Failure to pay for a class of service different from the service provided for at the location of the account;
 - 3) Failure to pay any amount which, according to established payment dispute and resolution procedures, is in bona fide dispute;
 - 4) Failure to pay any charge not specified in the Company's tariff.
 - 5) Disconnection of service for nonpayment is prohibited if the disconnection of service would be especially dangerous to health as certified pursuant to the certification provision as specified in Rule 4901:1-15-27 of the Ohio Administrative Code.

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GENERAL REGULATIONS GOVERNING SERVICE (continued)

- d) Has corrected any condition in violation of the regulations of the Company; and
 - e) Has made or maintained a deposit in accordance with Section 3-4; paragraph 4 of this Tariff.
13. When a customer's meter cannot be read for a period exceeding three months for accounts read monthly after the latest prior reading, the Company may discontinue service to the customer upon giving a fourteen days written notice mailed to him of its intention to do so, unless the customer shall promptly make access to the meter possible during the Company's regular business hours on any day except Saturday, Sunday and holidays, and notify the Company thereof. If the customer notifies the Company that he can promptly make access to the meter possible only during a time and day other than during the Company's regular business hours, the Company shall make a charge for the actual cost of such meter reading service.
 14. Any employee or agent of the Company seeking access to the dwelling or structure of a customer shall voluntarily identify himself, provide proper Company photo identification, and shall state reason for his visit. The employee or agent shall in all cases direct himself to a person holding out himself or herself as being responsible for the dwelling or structure. Entrance will not be sought or gained by subterfuge or force. The Company shall be responsible for any damage done by its employees when such damage results from willful misconduct and within the scope of employment.
 15. Complaints with regard to the character of service furnished, or to the reading or registration of meters or to the bills rendered must be made to the Company's office, either orally or in writing, and a record of such complaint will be kept by the Company, giving the name and address of the complainant, the date, the nature of the complaint, and the action taken or decision made by the Company with respect to it. The Company shall investigate the complaint and report the results of such investigation to the customer within ten (10) business days of the receipt of the complaint. If the complainant is not satisfied with the results, the Company shall inform the customer of the Commission's P.I.C. telephone number and address.
 16. The Company shall make a charge to a customer for emergency service calls on Saturday, Sunday and holidays and at other than the Company's regular business hours on all other days where the cause is the responsibility of such customer. The charge shall be sufficient to reimburse the Company for the expense in making the call.
 17. The Company reserves the right at any time to alter, amend or add to the regulations of this tariff or to substitute other regulations, and all such alterations, amendments and additions will be filed and approved by the Public Utilities Commission of Ohio as provided by law.

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CONTRACTS FOR WATER SERVICE

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METERED SERVICE (continued)

7. Meters will be maintained by the Company so far as ordinary wear and tear are concerned. Damages resulting from freezing within the customer's premises; hot water backflow, or negligence or purposeful act of the customer shall be paid by the customer. Costs for removing, testing, repairing and reinstalling a meter damaged by freezing, hot water or negligence or purposeful act of the customer shall be paid by the customer.
8. The Company reserves the right to remove and test any meter at any time, and substitute another meter in its place. In case of a disputed charge for service involving a question as to the accuracy of a meter, such meter will be removed for test upon the request of the customer and a charge shall be made as set forth in Item 9, Section 3-6 of this Master Tariff. In the event that the meter so tested is found to have an error in registration greater than the limits set forth in Item 8 c) below the fee advanced will be refunded within thirty (30) days, and the bill shall be corrected accordingly. The correction shall apply both for over and under registration.
 - a) All meters used for measuring quantity of water delivered to a customer shall be in good mechanical condition and shall be adequate in the size and design for the type of service which they measure and shall be accurate in accordance with AWWA Standards for displacement and turbine type meters.
 - b) The minimum, intermediate and maximum test flow limits for positive displacement and turbine type cold water meters are as specified in the most current AWWA Manual M6.
 - c) Displacement meters shall be tested at each of the rates of flow stated above for the various size meters. A new meter shall not be placed in service if it registers less than 95% of the water passed through it at the minimum test flow or over-registers or under-registers more than 1-1/2% at the intermediate and maximum limit. A repaired meter shall not be placed in service if it registers less than 90% of the water passed through it at the minimum test flow or over-registers or under-registers more than 1-1/2% at the intermediate and maximum limit.
 - d) All meters tested in accordance with these rules for periodic or complaint tests shall be tested in the condition as found in the customer's service prior to any alteration or adjustment in order to determine the average meter error. Tests shall be made at the intermediate and maximum rates of flow and the meter error shall be the algebraic average of the errors of the two tests.
9. If any customer requests a meter test the company will perform an on site or bench meter test once every three years without charge. The meter test shall be performed within thirty days from the request. The company may request a reasonable justification for a meter test. Results of an on site meter test shall be provided to the customer at the time of the test. Should the on site meter test indicate primary meter inaccuracy, the primary meter shall be removed and bench tested in accordance with the accuracy standards set forth in Section 3-6 item 8. If a customer requests additional meter tests within a three year period the charge for the test shall be \$10 for meters up to and including 3/4" in size and at actual cost to the Company for all meters over 3/4" in size. All charges will be paid in advance. If the meter fails to meet the specifications, the advanced charge will be refunded within thirty (30) days.
10. If the Company finds that as a result of the customer's willful act a meter seal has been broken, or any bypass inserted, or there is other evidence that the meter has been tampered with, the water may be shut off.

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EXTENSION OF MAINS

The foregoing paragraph shall not be applicable in instances where main extensions and subsequent connections shall be made pursuant to rules established by municipal ordinances or otherwise in preemption of the jurisdiction of the Public Utilities Commission of Ohio in compliance with the constitution and statutes of the State of Ohio.

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Suburban Division

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P.U.C.O. TARIFF NO. 1

Notwithstanding any provisions of the Ohio Administrative Code Rules regarding subsequent connections found in section 4901:1-15-31 of the Ohio Administrative Code, whenever the owner of any lot abutting a main extension (hereinafter "subsequent applicant"), who is not a party to the main extension agreement, requests service, the subsequent applicant shall pay either a per foot frontage connection charge calculated in accordance with Section 4901:1-15-31 of the Ohio Administrative Code or a per-lot connection charge calculated as set forth below as determined by the main extension agreement.

- A. Lot Connection Method.
 - 1. The lot connection charge shall be computed by taking the Company's total cost of said main, if said main is of eight inch (8") diameter pipe or smaller, or if said main is larger than 8 inch (8") diameter pipe then by the estimated cost of a main of eight inch (8") diameter pipe constructed under the same conditions, and dividing such costs by the total number of actual and potential lots (receiving service from the main), but not including any lots for which water service has been or may become available from an existing main of the system.
 - 2. Each applicant for water service situated along said main which lot and potential lot(s) was (were) taken into consideration in computing the lot connection charge shall pay to the Company, at the time of making application for service, a total lot connection charge as computed under Item A, paragraph 1.
- B. Provisions of the Consumers Ohio Water Company, Suburban Division, Tariff P.U.C.O. No. 1, Section 3-7, Sheet 1, and regulations described there which are not in conflict with subparagraph (A) above shall continue to apply.

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CUSTOMER FINANCING PLAN
FOR CONNECTION TO WATER SERVICE

Consumers Ohio Water Company will offer a financing plan to individual homeowner customers who, upon request, make an initial connection to any portion of the Company's distribution system for which the Company collects a frontage connection fee for such connection. The customer contribution of an individual homeowner to a main extension may also be financed under this plan. Such a homeowner may elect to finance eligible costs in equal payments, payable as the homeowner initially elects from over three (3) years (*36 months*) up to ten (10) years (*120 months*). Payment amounts under the financing plan will be itemized and assessed as a surcharge on regular water bills rendered to the homeowner (or "customer"). Partial payments of a customer's bill will be applied to the water service charges first and then to the finance payments. Any and all indebtedness that remains at the time when the customer's account is closed, for any reason, shall be immediately due and payable and shall be made part of the final bill.

The interest rate on the financing plan will be fixed for the term of the customer payments and will be equal to the Company's short term debt rate to be posted twice per year, on June 30 and December 31, but shall not exceed eight percent (8%) per annum.

The financing plan for an individual homeowner's connection to the Company's distribution system will be effective upon proper execution of an Agreement of Customer (which Agreement includes a "Credit Disclosure Form" and "Amount Financed Itemization" sheet) as provided in this Tariff.

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