

WATER UTILITY ACT

WATER TARIFF NO. 2

RATES AND RULES

For

WATER SERVICE

At

HEMLOCK VALLEY

By

^{UTILITY}
HEMLOCK VALLEY WATER SERVICES LTD.

210-19988 84th Ave., Langley, BC V2Y 3C2
Box 7, Site 2, RR#1, Agassiz, BC V0M 1A0

Contact Person(s)

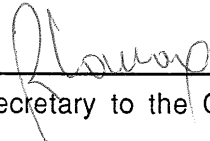
Ralph Berezan
Susan Farwig

This Tariff is available for public inspection at:

(Street address of premises designated by the Utility)

Accepted for Filing by the
Comptroller of Water Rights

Effective: October 1, 1994


Secretary to the Comptroller

Definitions

In this tariff the following definitions shall apply:

- (a) "Utility" means Hemlock Valley ^{Utility} ~~Water Service~~ Ltd.
- (b) "Rates" shall be the amount to be paid by any customer for the quantity of water supplied to him by or for the service to his premises for a stated period of time.
- (c) "Service" shall include:
- (1) The supply of water to the customer.
 - (2) The plant, equipment, apparatus, appliances, property and facilities employed by or in connection with the utility in providing the supply of water to the property line of the premises.
- (d) "Premises" means land and buildings therein.
- (e) "Authorized Premises" means premises which are entitled to, and authorized for, service in accordance with the Certificate of Public Convenience and Necessity of the Utility.
- (f) "Eligible Premises" means premises which may reasonably qualify as authorized premises, and includes existing premises peripheral to the Utility's authorized service area and premises within the boundaries of the Utility's authorized service area requiring additional service connections as a result of re-subdivision and/or rezoning of existing authorized premises or any other change in land use, but does not include premises created by any other proposed land subdivisions.
- (Note: Where no zoning regulations were in effect at the time of the issuance of the C.P.C.N. it is assumed that the properties authorized for service are for single family use.
- (g) "Customer" means any person who is the owner or lessee of an authorized premises whose application for service has been accepted by the utility, or any person who is actually receiving service supplied by the Utility.
- (h) "Unit" means a unit of accommodation occupied separately or to be occupied separately by an owner or lessee and, which either separately or jointly with other units, receives service from a connection to the Utility's waterworks and, without restricting the generality of the foregoing, includes the separate units of accommodation in all dwellings.
- (i) "Comptroller" means the Comptroller of Water Rights, Water Utility Act, Province of British Columbia.

Rules and Regulations

1. Application for Service

All applications for water service shall be made in writing by the owner or lessee of the premises to which the application refers, or by the owner's duly authorized agent. All applications for service shall state:

- (a) the purpose(s) for which the service is to be used (i.e. domestic, commercial, irrigation, etc.);
- (b) the size (diameter) of the Utility's pipe through which water will be supplied to the premises;
- (c) the legal description of the premises;
- (d) the number of units within the service connection;
- (e) the location of the unit or units to be served.

Additional applications for service shall be made for all extensions of service to additional units and for additional purposes.

2. Charges for New Service

Charges for new service are intended to recover the Utility's costs in responding to the request. The nature of the request will determine the appropriate charges as follows:

- (a) At the time an application is made for service to premises which had not previously been connected for service, the applicable charge shown in schedule "A" and/or "B" of this tariff shall be paid by the applicant.
- (b) A turn-on fee of \$50.00 shall be applicable when:
 - (i) a turn-on of a valve at an existing curb-stop is made at a date after the service connection was installed;
 - (ii) a customer becomes re-connected after service has been shut-off at the request of the customer, for non-payment of rates, or for violation of these rules and regulations.
- (c) There is no charge for service shut-off.

3. Billing and Payment

All bills are issued **quarterly** and are due and payable within ten (10) days of the date of issue. Flat rates are billed in advance of service.

4. Service Shut-Off due to Non-Payment

When an account becomes one month overdue service may be shutoff upon 15 days' written notice. A notice mailed to the last known postal address of the customer shall be deemed good and sufficient.

Service will not be turned on until all outstanding charges against the service have been paid.

5. Discontinuance of Service

- (a) Customers must give at least two working days' notice in writing at the office of the Utility when requesting discontinuance of service and shall be liable for payment for all service until such service has been discontinued.
- (b) Any customer who desires to discontinue the use of water for any of the purposes stated in his application for service shall give notice of his intention, in writing, at the office of the Utility, and shall further show that any fittings used for the supply of water for such purposes have been disconnected.
- (c) The Utility may discontinue service to any customer who violates the terms and conditions contained in this tariff. In the event of further contravention of the tariff, the Utility may detach the service connection from the customer's premises and, upon re-application for service, the customer shall be liable to pay the Utility's cost of performing the said detachment and re-connection in addition to other applicable rates and charges.

6. Access to Premises

The Utility shall have the right of access to the customer's premises at all reasonable times for the purposes of making connections or dis-connections, reading meters, inspecting pipes and appurtenances, or checking on the use or waste of water.

7. Interruption of Service

The Utility intends to maintain at all times an adequate and continuous supply of water at suitable pressures but accepts no liability for interruptions due to circumstances beyond its control. However, for the interruptions in excess of 48 hours, a proportionate rebate will be allowed to customers served on flat rates.

8. Restriction of Use of Water

The Utility may restrict or prohibit the use of water for gardening, sprinkling, air conditioning, the filling of swimming pools, or other purposes when, in its opinion, such action is necessary to conserve the water supply or to maintain water pressure.

9. Misuse of Water Supply

No customer shall sell or dispose of any water or permit same to be carried away, or use water or allow it to be used in premises, or for purposes other than those stated in the customer's application for service.

10. Multiple Dwellings

In the case of apartment houses, duplexes or houses containing one or more suites, each such accommodation, whether or not self-contained, shall be considered as a separate unit and the customer shall be charged the appropriate rates accordingly.

11. Water Meters

The Utility may, if in its opinion an undue amount of water is used at any time by any customer being served under a flat rate, install a water meter and thereafter charge the customer in accordance with the meter rates included in this tariff. All such meters shall remain the property of the Utility.

12. Work to be done by the Utility

No person who is not an agent or employee of the Utility shall make any connections with or alterations to or tamper with any of the Utility's waterworks, including any water meter belonging to the Utility, nor turn on or off any valve or curb stop of the Utility, without authorization by the Utility in writing.

13. Minimum Size of Services

The minimum size of pipe used to serve any one premises shall be 3/4" (19mm) nominal diameter. The type and diameter of pipe used on the customer's premises should be selected with due consideration of pressure losses from friction.

14. Minimum Earth Cover Over Services

All services on the customer's premises shall be buried below the maximum depth of frost penetration but in any event at a minimum depth of 4.5 feet below the surface of the ground.

15. Ownership of Service

All water service pipes and fittings carrying water from the main to the premises property line shall be the property of the Utility.

16. Stop Cock

The customer shall provide a shut-off valve (stop cock) inside each of the customer's buildings in which water is used, for the use of the customer in case of leaky or defective pipes or fixtures, or in case the premises is vacated.

17. Customer's Service Pipes

Service connection materials installed on the customer's premises shall be rated by the manufacturer to sustain a minimum working pressure of 160 psi (1100 kilopascals). No service pipe or fitting shall be covered until they have been inspected and approved by the Utility.

18. Dangerous Cross-Connections

The customer shall not permit the plumbing on his premises to be connected to any source of water supply other than the Utility's, or to any potential source of contamination, without first obtaining the Utility's permission in writing. Any back-flow preventers deemed necessary by the Utility to prevent the entry of contaminants shall be installed at the customer's expense.

19. Condition of Customer's Pipes and Fixtures

All customers at their own risk and expense shall keep their pipes, stop cocks and other fixtures in good working order and shall protect them from frost and other damage. The Utility shall notify the customer of any leaky pipes and fixtures that are evident on the premises. If the necessary repairs are not made within two (2) working days after such notice has been given, or when the condition of the pipes or fixtures is such as to cause serious waste of water or damage to property, then without further notice the Utility may shut off the water supply. The water shall not be turned on again until such repairs have been made to the satisfaction of the Utility, and the charges paid as provided by clause 2 and 5(c) of this tariff. No person whose water supply is shut off pursuant to this section shall have any claim against the Utility for discontinuance of supply.

20. Notice of Service Shut-off

The Utility shall have the right at all times to shut the water supply off temporarily to any premises in order to make repairs, replacements, alterations and extensions to the Utility's waterworks as shall, in the opinion of the Utility, be deemed necessary. Whenever possible the Utility will give reasonable advance notice of shut-off, and, in all cases where the Utility expects service to be interrupted for 24 hours or more, the Utility shall give advance notice to its customers.

21. Water Main Extension Rules

21.100 General Provisions

- 21.101 Applications for extensions of water mains shall be made in writing.
- 21.102 Water main extension rules apply only to eligible premises(see page one), the owners or lessees of which may become customers.
- 21.103 Any waterworks installed hereunder shall be the sole property of the Utility.
- 21.104 The size, type, quality of materials, and their location will be specified by the Utility and the actual construction will be done by the Utility or by a construction agency acceptable to it..
- 21.105 Adjustment of any difference between the estimated cost and the actual cost of any main extension made hereunder will be made within 60 days after the actual cost of the installation has been ascertained by the Utility.
- 21.106 In arriving at the length of the main extension necessary to render service to any point, the distance from such point to the nearest distribution main shall be considered along lines of proper construction and common practice in the location of public waterworks, due consideration being given to the general layout of the Utility's system. The length of the extension shall be measured along the lines of proper construction from the nearest distribution main to the centre of the furthest property to be served.
- 21.107 The Utility will not be required to make extensions where grades have not been brought to those established by public authority.
- 21.108 Where an extension must comply with an ordinance, regulation or specification of a public authority, the estimated cost of said extension shall be based upon the waterworks required to comply therewith.

21.200 Payment for Main Extensions

- 21.201 Where the service connections applied for require a main extension, the applicant or applicants for such service shall be required to advance to the Utility before construction is commenced the estimated cost of such extension. The estimated cost of the main extension shall not include the cost of the service line from the water main to property line and except as otherwise provided by the Utility's tariff, shall not include any costs of increasing the size or capacity of the Utility's existing mains or any other waterworks used or necessary for supplying the proposed extension.

21.300 Method of Allocating Advances and Refunds

21.301 Advances by original applicants:

When more than one applicant is involved and an advance is required in payment for a main extension the amount of the advance shall be divided equally or as otherwise agreed among the applicants.

21.302 Advances by subsequent customers:

An extension charge equal to a pro-rata share of the original cost of the main extension shall be collected by the Utility from each additional customer who connects to the original main extension within five years. The extension charge collected above shall be refunded equally to the customers who already have advances deposited with the Utility as a result of connection to the extension, so that in the result all subscribers will have paid an equal amount.

21.303 Advances which may be required from applicants in payment for extensions will be held by the Utility without interest. Refunds will be made in accordance with these rules and no depositor will have refunded to him an amount in excess of the amount of his advance. Refunds will be paid to the current registered owners of the properties on account of which the deposits were received. Any amount remaining unrefunded at the end of five years from the date the advance was received by the Utility from the original applicant or applicants will be retained by the Utility and transferred to the "Contribution in Aid of Construction" account. Thereafter, additional customers will be connected without being required to pay the special extension charge.

21.304 In case of disagreement or dispute regarding the application of any provision of these rules, or in circumstances where the application of the rules appears impracticable or unjust to either party, the Utility, or the applicant or applicants, may refer the matter to the Comptroller for adjudication.

22. Winter Construction

The Utility reserves the right to refuse to make extensions and install service pipe to a customer's property line under frost conditions in the winter months that would make the undertaking impractical.

23. Amendments to Tariff

The rates and charges recorded in this tariff are the only lawful, enforceable and collectable rates and charges of the Utility, and shall not be amended without the consent of the Comptroller. The Comptroller, on his own motion, or on complaint of the Utility or other interested persons that the existing rates in effect and collected or any rates charged or attempted to be charged for service by the Utility are unjust, unreasonable, insufficient, unduly discriminatory or in contravention of the Water Utility Act, regulations or law, may, after investigation, determine the just, reasonable and sufficient rates to be observed and in force, and shall, by order, fix the rates.

The Utility may submit to the Comptroller, by letter of application together with full supporting documentation, proposed amendments to rates and charges, and other terms and conditions of service. After initial review of the application, the Comptroller may require the Utility to give an acceptable form of notice of the application to its customers and other interested persons. The notice will state a specific time period within which any interested persons may submit objections to the application to the Comptroller. After investigation of the application and any objections thereto, the Comptroller will decide the matter and notify all interested persons of his decision.

Schedule "A" - Water Service Connection

The charges shown below apply to connections to a main (see page 2).

The connection charge (a) recovers the cost incurred by the Utility, and not otherwise recovered, of installing a service connection from the water main to a curb stop and, if required, a meter at the property line of the customer's premises. Cost herein includes any administrative overhead incurred.

Where, at a time prior to a customer's application for service, a service connection has been installed at no cost to the Utility or at a cost otherwise recovered by the Utility, then upon connection of the service pipe, the rate shown in (b) below shall be paid upon application for service.

(a) Connection Charge:	Not applicable
(b) Connection of customer's service pipe to an existing curb stop	<u>\$100.00</u>

Schedule "B" - Contribution in Aid of Future Construction

The charges shown below apply only to eligible premises (see page 1).

Where as a result of eligible premises becoming qualified as authorized premises a greater number of units require or may require service from the utility, thus utilizing waterworks capacity presently or prospectively, then, upon application for a service connection, in addition to the connection charge and any main extension costs, the charge shown below shall be paid.

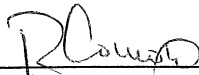
For each unit qualifying as authorized
premises

\$Not applicable

Note: Development restricted due to underground power capacity.

Hemlock Valley Water Service Ltd.

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Effective: October 1, 1998


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Schedule "C" - Domestic Service Flat Rates

Applicability: Within the authorized service area of the utility.


Availability: To domestic units (see page 4, clause 10)

Rate: \$ 49.82 per quarter

Notes: From the above rates collected, \$6.87 per customer per quarter will be deposited into a Replacement Reserve Trust Fund.

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Third Revised Page No. 12
Effective: October 1, 1998


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Schedule "D" - Commercial Service Flat Rates

Applicability: Within the authorized service area of the utility.

Availability: To all commercial units.

Rates: Payable quarterly by establishment as designated below.

A. Condominium Common Area: (each unit)	\$ 57.37
B. Bunkhouses: (each unit)	\$ 139.25
C. Day Lodge	\$2,616.50
D. Workshop	\$ 57.37
E. Firehall	\$ 57.37

Notes: From the above rates collected, the following amounts will be deposited into the utility's Replacement Reserve Trust Fund.

A., D. & E.	\$ 7.87
B.	\$ 19.37
C.	\$362.00