

COLDWATER BOARD OF PUBLIC UTILITIES

One Grand Street
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Coldwater Board of Public Utilities

RULES, REGULATIONS, & RATES

Chapter 1044 of the Codified
Ordinances of Coldwater

COLDWATER BOARD OF PUBLIC UTILITIES

Mission Statement

"We will provide safe, reliable, competitive, and efficient utility products and services. We will plan for future growth and continue to protect the environment and the investment of our citizens while meeting, or exceeding, our community's needs."

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The following technical terms and abbreviations are found in the "Rules, Regulations and Rates":

Hertz (Hz) - Unit of frequency in cycles per second.

Kilovar-hour (kVARh) - Unit of reactive energy equal to one kilovar used for one hour.

Kilovolt-ampere (kVA) - Unit of apparent electric power in thousand volt-amperes.

Kilowatt (kW) - Unit of electric power in thousand watts.

Kilowatt-hour (kWh) - Unit of electric energy equal to one kilowatt used for one hour.

Lumen - Unit of light intensity equal to the illumination of one foot candle over an area of one square foot.

Power Factor - Ratio of kilowatts to kilovolt-amperes.

Primary voltage - Nominal electric distribution voltage. Typically 4800 volts or higher.

Secondary voltage - Nominal electric service voltage. Typically lower than 480 volts.

The following definitions are for words found in the "Rules, Regulations and Rates":

Basic Service - CATV service consisting of various television programming for which a single monthly rate is charged to the customer.

Building Sewer/Lateral Sewer - sewer line from the building to the wye connection on the main sewer line.

Cable modem - high speed Internet access service device provided to customers.

CATV - Community Antenna Television, more commonly referred to as "cable television."

Cleanout - vertical wye connection on the building lateral for cleaning purposes.

Converter - an electronic device which converts CBPU's incoming signals for use at the customer's television receiver.

Cross Connection - a connection or arrangement of piping or appurtenances through which a backflow could occur.

Customer - any person, company or institution which is supplied with a service by a utility.

Customer's Water Service - water supply piping from the municipal provided curb stop to the building plumbing.

Digital Service - an optional CATV service by use of a converter, consisting of one or more television programs for which a single monthly rate is charged to the customer in addition to the charge for expanded basic service.

D.U. Internet - dial-up Internet services provided to customers.

Expanded Basic Service - an optional CATV service consisting of one or more television programs for which a single monthly rate is charged to the customer in addition to the charge for basic service.

High Definition - additional broadcast signals available to HD-QAM ready televisions at no additional charge or to any HD-digital ready television by use of a converter for an additional monthly charge.

Main Sewer - municipal sewer system including manholes, wye connections and vertical risers.

Meter - a device for measuring and registering a quantity over a period of time.

Month - one twelfth of a year, as near 30 days as practicable.

Municipal Water Service - water supply piping and connections including the curb stop normally located at the owner's property line.

Outlet - the receptacle through which CATV service is provided to the customer's television receiver.

Potable Water - a water supply that does not contain contamination or infectious material and is considered satisfactory for drinking.

Power Quality - the best measure of power quality is the ability of electrical equipment to operate in a satisfactory manner, given proper care and maintenance. The load should be designed for compatibility with the electrical system.

Premises - a parcel of land and the buildings upon it.

Premium Service - an optional CATV service consisting of one or more movie channels for which a single monthly rate is charged to the customer in addition to the charge for basic and expanded basic service.

Reduced Pressure Backflow Preventer - a device to eliminate the potential for backflow or back siphonage of non-potable water into the municipal water supply.

Senior citizen - generally a person who is 65 years of age or older.

Utility - a company that furnishes electric, water, wastewater or other public services.

Vertical Riser - municipal cleanout on main sewer.

Wye - a connection on the main sewer line between the building sewer and the municipal sewer.

GeneralInterpretation & Enforcement:

The Director of the Coldwater Board of Public Utilities (CBPU) shall be responsible for the interpretation and enforcement of these Rules & Regulations, through the municipal ordinance procedure.

The CBPU Board of Directors may adopt policies to market, lease or finance certain materials or activities which in its opinion is in the best interest of the utility and/or its customers, or is necessary to maintain its competitive position in the marketplace.

Application of Rates:

Copies of these Rules, Regulations and Rates are available at the CBPU's offices at One Grand St., Coldwater, Michigan, and are open to public inspection. A copy can also be downloaded from the CBPU's website at www.coldwater.org.

All rates are based upon the furnishing of each class of customer service at a single point (with the exception of communications services), from which point the total requirements of each separate premises of the customer will be supplied unless otherwise agreed upon by the CBPU and other authorities.

In no case may services be shared with another or transmitted off the premises to which it is delivered, except for communications, which may connect several premises for an individual customer. Services taken at different premises shall be separately measured and billed.

Choice of Rates:

In some cases the customer is eligible to take service under any one of two or more rates. Upon request, the CBPU will advise the customer in the selection of the rate which will produce the lowest cost of service based upon the information at hand, but the responsibility for the selection of the rate lies with the customer. The CBPU shall not be held liable for the choice of rates.

It is the responsibility of the customer to promptly notify the CBPU of any change in his or her use of service which will affect the basic rate applicable to such use.

No refund will be made of the difference in charges under different rates applicable to the same class of service.

Outstanding Utility Bills:

The CBPU may refuse making utility services available to anyone, regardless of current account status, who has outstanding or delinquent accounts with the CBPU or the City of Coldwater.

Resale of Service:

No customer shall resell his or her service to others.

The renting of a premises, with the cost of service included in the rental as an incident of tenancy, will not be considered a resale of such services as defined herein.

CBPU Liability:

Municipal utility services are subject to shutdowns, variations and interruptions necessitated by improvements, repairs and/or operation of the system. Whenever possible, notice of intent to temporarily discontinue service will be given to the customer. The CBPU shall not be liable for loss or damage because of temporary interruption in service or because of inadequate or excessive quantity or quality.

The CBPU agrees to use reasonable diligence in providing a regular and uninterrupted supply of power, but does not guarantee a constant supply of power, or the maintenance of unvaried frequency or voltage, and will not be liable for damages to the customer by reason of any failure in respect thereof.

The customer shall take and use power in such a manner so as not to cause a disturbance or voltage fluctuation on the utility supply system or systems of any third party. The customer shall take remedial measures at his or her own expense by way of installing suitable apparatus or otherwise, as may be necessary, to reduce any disturbance, fluctuations or interference to a level deemed tolerable by the CBPU.

All CBPU customers will be notified of their current billing status by means of an invoice mailed on the billing date of each cycle unless customer directs us otherwise. Should a balance forward exist on a customer's account, a disconnect notice will print on the current billing. The CBPU takes no responsibility for lost, delayed, damaged or misdirected mail, either to the customer or to the CBPU.

Services are established upon request by the customer, without prepayment thereof, except in the case of certain telecommunications services and equipment. A signed order may be required.

Establishing New Service:

Residential and/or business accounts must provide the following documentation to establish a new account: name; address; phone number; social security number or corporate ID number; date of birth; United States government or state government issued photo ID, driver's license, military ID or passport; and copy of mortgage or purchase or lease agreement. Driver's license or other photo ID's, except passports, issued by a foreign government are not acceptable.

Social security numbers are the preferred form of identification, but are not required. If the social security number cannot be validated, the CBPU may ask for a deposit to secure the account.

General

Service Deposits:

New residential accounts will require a \$200.00 deposit.

New business accounts will require a deposit to be determined by the CBPU on an individual case basis.

Any account that had been submitted to a collection agency, had a bad debt with the CBPU or had a prior deposit will require a deposit either equal to that deposit amount or an amount to be determined by the CBPU to establish a new account.

Accounts with telecommunications equipment may require a security deposit equal to the value of the related equipment on the account.

Deposits may be returned to customers after one year if billings have been paid by specified due dates or before penalties are added, at the discretion of the CBPU. Such deposits will be returned as an account credit. When service is discontinued, deposits will be credited to the closing bill with any excess to be refunded to the customer.

Customers may request that service deposits be transferred when changing service from one location to another. However, all amounts in arrears on the original account (including the most recent billing if past the established due date) must be paid. This payment takes effect at the time of a change of service. Failure to pay all arrears may require deposits being applied to the original account and a new service deposit for the new location.

The CBPU may, upon the request of the customer, transfer the amount of the "final bill" to the customer's new account. The CBPU reserves the right to transfer any amounts outstanding on any closed accounts to any active accounts.

In cases of bankruptcies, deposits will be credited to any outstanding account balances as of the court file date. New deposits may be required for post-petition balances according to the above and in conformance with bankruptcy laws.

Additional service deposits may be required from any CBPU customer who writes two no-account or NSF checks in any twelve-month period and customer's account will be put on a cash only basis.

Equal Payment Plan:

The Coldwater Board of Public Utilities shall make available to qualified customers an equal payment plan for payment of utilities, except telecommunications services. The equal payment plan shall be available only when a history of usage and payments, for any service location, for a period of not less than nine months has been established. The initial request from a service holder will be in the form of a written agreement. All arrears on accounts must be current at the time of the agreement. To remain enrolled in the equal payment plan, the agreed amount must be paid monthly. The equal payment plan shall be reviewed periodically but at least annually. Adjustments to equal payment plan payments may be made as deemed necessary. The CBPU reserves the right to terminate from the plan any and all parties who do not comply with the terms of the plan agreement.

Automated Payment Plan:

The CBPU shall make available to its customers an automated payment plan for payment of utilities. The initial request from a service holder shall be in the form of a written agreement. The payment plan may be established for an indefinite period or for a specified period of time. The CBPU reserves the right to terminate from this plan any and all parties who do not comply with the terms of the written agreement. Any account which incurs two returned electronic funds transfer transactions in a twelve-month period may be removed from the plan and may be ineligible for reinstatement. Automated payment plans shall terminate upon payment of final bill. Automated payment plans can be terminated at any time upon the request of the customer.

Service Fees:

A twenty-five dollar (\$25.00) service fee will be charged each time a new account is established.

Customers disconnecting electric, water or wastewater service from the system for longer than two billing cycles, will be charged the following amount when reestablishing service:

During regular working hours	\$100.00
After regular working hours	\$200.00

Disconnecting Residential Service:

Between April 1st and October 31st the CBPU is empowered, at its option, to remove all meters and to shut off all service to any customer at the expiration of its agreement with that customer, whenever any account of that customer is in arrears, or upon a violation of any of the rules and regulations of the CBPU or violation of any codified ordinance of the City of Coldwater.

Disconnecting Residential Service: (continued)

Shutoff may be postponed for a reasonable time, but no longer than 21 days, if the customer presents a certificate or doctor's notice stating that the existing medical emergency of the customer or someone living at the residence would be aggravated without the utility. Medical certificates or doctor's notices do not prevent utility services from being disconnected for non-payment.

Services established are to be in the name of the legal occupant of the property, i.e. the owner, legal tenant or a guardian or personal representative if the owner or tenant should be incapacitated. Any service set in the name(s) of a person(s) who becomes deceased is required to be changed to the name of the legal occupant of the property. Any service not corrected, after notification by the CBPU, may be subject to disconnection. In order for the service to be reestablished, any amounts due after the date on which the original party becomes deceased must be paid in full.

Any service taken with the intent of evading past due amounts owed to the CBPU, or to evade the posting of required service deposits, may be subject to termination. Examples would be the use of false names, false identification, or requesting service without actually occupying the property.

The CBPU's Winter Protection Plan protects senior, low income and critical care customers from service shut off and high utility bill payments during the heating season (November 1st through March 31st) in accordance with Michigan Public Act 3 of 1939. Those who qualify for the Winter Protection Plan must make application and sign an agreement with the CBPU.

Disconnecting Business Customers:

Service to industrial, commercial or retail business customers may be discontinued at any time by the CBPU whenever any account of that customer is in arrears. A disconnect notice does not need to be provided to these customers.

These customers must pay all their accounts to a current status to restore service. Deposits may be required to ensure credit worthiness of the accounts. Deposits may vary depending on the credit history of the account in accordance with procedures established by the CBPU.

In cases where it is known that customers are closing their business, all utility services may be discontinued immediately unless assurances are given in the form of additional deposits or bank commitments to secure the account.

Reconnecting Service:

A twenty-five dollar (\$25.00) charge will be made for turning on or setting of a meter or service when a disconnect has been made for:

1. Non-payment of a delinquent account.
2. Failure to post the security deposit when required.
3. Failure to comply with the Rules and Regulations of the CBPU.

Also, an additional service deposit may be collected to ensure the credit worthiness of an account. Deposits may vary, depending on the credit history of the account in accordance with procedures established by the CBPU. When restoration of such disconnected service after normal business hours is requested, an additional charge of one hundred dollars (\$100.00) will be made.

A ten-dollar (\$10.00) fee will be charged for restoring service when only telecommunications services have been turned off.

Time and material charges will be applied when reconnecting service that has been disconnected from the tap pole or pad mount transformer.

Services will be reset only upon receipt of payment in full, except when approval comes from social service agencies.

Access to Premises:

The CBPU's authorized agents shall have access to all premises to install, inspect, read, repair or remove its meters and other utility property and/or to inspect wiring, piping, appliances, fixtures, water shut-off valves and water services located within or outside the street right of way, or any other devices that are in any way connected with the municipal utility system. Not allowing access may subject the property concerned to disconnection of service.

In cases of rental properties, it shall be the responsibility of the property owner to effect proper entrance for CBPU personnel to discontinue some services. Failure to provide this access may result in such services being continued with the property owners' liable for payment from the date of the tenant's service being discontinued.

Meters not accessible to read will be estimated. See "Meter Reading and Billing" section for details.

Selection of Equipment:

Before purchasing equipment for use in connection with the municipal utility system, the customer should secure from the CBPU the characteristics of the service available (i.e. service voltage, pressure, etc.) for such use and should acquaint himself or herself with the rules and regulations governing the use and installation of such equipment.

Approval of Equipment:

The CBPU reserves the right to approve or disapprove for use in connection with the municipal utility system, any wiring, equipment, appliances, fixtures, motors or any other devices that are presently in use or that are offered for use in connection therewith. Should any of the same be disapproved, their use shall be disconnected at once, either permanently, or until corrective measures have been taken. Failure to comply with orders to discontinue the use of or to apply corrective measures to disapproved equipment shall be deemed just cause for the discontinuance of all service until compliance is completed.

Extra Expense Due to Overtime and Adverse Conditions:

A charge may be made when extraordinary expense is incurred by the CBPU in performing customer services on account of overtime rates for other than regular working hours, or on account of unfavorable weather conditions, snow and ice accumulations, curb boxes buried or filled through no action of the CBPU, and for similar reasons.

Credits to Customer Accounts:

Whenever a credit is applied to any account it will be made on the basis of the net billing. No refund will be made to any account after one year following discontinuance of service. No credit or refund will be made in a net amount of less than five dollars (\$5.00). No credit will be allowed unless all CBPU requirements have been adhered to and the propriety of such a credit or refund is supported by a clear record.

Any incorrect billing or collection that resulted in an overpayment or underpayment will be credited or charged for up to a maximum of six months.

Meters - Size, Location, Protection:

All meters and metering equipment and water/wastewater meters up to and including 6" meters, used in regular service, shall be owned and maintained by the CBPU, which will determine, given the proper information, the size, type, location and suitability of the equipment. The customer/property owner shall provide, as directed by and free of expense to the CBPU, close to the point of the service entrance, a suitable space for the installation of the CBPU's metering equipment and shall, at all times, keep the area about, over and under this equipment free and clear so that easy access may be had by authorized persons. The customer/property owner shall protect the CBPU's metering equipment from damage and, in the case of water/wastewater meters, from freezing, and shall permit no person other than an agent of the CBPU or a person authorized by the CBPU to remove, inspect or tamper with the same. Any person damaging, tampering with or removing any type of metering device of the CBPU will be held responsible for the repair(s) or replacement of such device.

All water/wastewater meters in excess of 6" shall be owned by the customer and maintained by the CBPU at customer expense.

GeneralAdditional Meters:

Meters may be installed in any building where water-only use is desired. Such meters must be installed on the supply side of the main water and/or sanitary sewer meter serving such customers. With CBPU approval, these meters will be furnished by the CBPU, provided that the minimum rate for the size meter furnished is charged and the meter is not in excess of 6". All piping costs for additional meters shall be borne by the customer.

Remote Water/Wastewater Meter Readers:

Every new water/wastewater meter installation will incorporate a remote reader.

The owner or contractor involved in any new construction shall furnish a 1/2" minimum empty conduit from the water/wastewater meter location to the general area of the electric meter location for future installation of a remote reader by CBPU personnel.

It shall be the intention of the CBPU to install remote readers in all customer existing premises where access to the water/wastewater meter is difficult or where, in the Board's opinion, entering the premises may cause disruption to the customer or his or her business operations that are a detriment to the CBPU or the customer. All such installations will be performed by CBPU personnel at CBPU expense.

All equipment remains the property of the CBPU.

Meter Reading & Billing:

Meters will be read and bills rendered monthly, as nearly as possible.

For the purpose of computing all bills rendered for utility service, the period between regular meter readings shall be deemed a month.

Meters installed between regular reading periods shall have readiness to serve charges prorated to the next billing date.

Whenever a meter reading is unavailable, the customer shall pay an estimated amount for service furnished during the billing period. This amount is to be based either upon the results of a test, upon the use of service during a similar period, upon both these methods, or by other known factors, as determined by the CBPU.

If the duration of any meter error is not known, it shall be assumed to have existed for a period of half the time between the discovery of the error and the latest preceding meter test, but not for a period of more than six (6) months, and bills shall be recomputed on this basis.

Meter Testing:

The CBPU tests its meters at intervals for the mutual protection of the customer and the CBPU, but the CBPU will also test any meter upon request of the customer, provided that the CBPU is not required to make such a test more often than once in twelve (12) months. A fee of \$25.00 for customer requested meter tests may be charged if the meter error is less than 4%.

GeneralCumulative Billing:

The CBPU will not allow cumulative billing.

Charges for Service Work:Electric Department

Customer requested service work may be charged on a time and material basis.

Charges for After Hours Service for No
Lights (if on customer side of meter),
Electric Meter Sets, etc.: \$100.00

Water & Sewer Department:

Charges for after hours water turn-ons,
turn-offs, and reports of no water or water
leaks (if on customer side of first valve in customer's
premises), and water/wastewater meter sets, etc.: \$100.00

Customer Payment Responsibilities:

Bills are due when issued. Payments received by mail are considered on time when received in the office on or before the printed "Due" date. When bills are not paid on or before the due date, the bill shall be considered delinquent. After the close of business on the due date, a late fee of 2% of the total delinquent amount will be charged to the account. The CBPU may exempt senior citizens from this charge upon receipt of proper notice.

The CBPU accepts checks, money orders and cash. Any loose coins over \$5.00 must be rolled and initialed. Credit card payments may only be made on line at www.coldwater.org.

Rental Properties:

Service may be established in the landlord's name. When a tenant is applying for service on a rental property, a written lease agreement shall be required to ensure that the applicant is a legal tenant of the property. Service may be denied to the applicant tenant if the property in question is not registered with the City of Coldwater as a rental unit under Chapter 1482 of the Codified Ordinances. Service may be granted if the property is not registered but the owner has started procedures to have the unit(s) registered and the registration is still incomplete.

Owners of rental properties must have their property "red tagged". When a tenant orders service out of his or her name, the service is automatically transferred to the property owner, and a service charge of ten dollars (\$10.00) is billed to the property owner. "Red tag" orders are canceled when a discontinuance of service is requested by the owner for any period of time. A new "red tag" order will need to be created if the owner wishes to reinstate the service at a later date. The "red tag" procedure will not take effect in those instances where the property owner has outstanding amounts owed, in excess of 45 days from original billing date, on the property involved.

General

Rental Properties: (continued)

The CBPU must have individual access to multi-customer buildings for the purpose of discontinuing service to one occupant without interrupting service to other occupants. In the event the CBPU cannot gain individual access, services will be immediately "red tagged" and transferred back to the property owner.

Underground Facilities on Customer's Premises:

The owner, developer or customer requesting underground utility service shall provide adequate subgrade (within 3" of final grade) prior to the installation of all underground utilities. Permanent survey markers indicating property lines must be installed and maintained by the customer. Any subsequent rebuilding or relocation required due to change in grade or other alterations shall be done at the customer's expense.

Use of Service:

Service may be taken from the municipal electric utility system as long as compliance is fully met with all applicable Ordinances of the City of Coldwater, The National Electric Code, and all Rules and Regulations of the Coldwater Board of Public Utilities.

Elsewhere in this schedule will be found rules governing metering, meter location, meter protection, access to customer's premises, approval of customer use equipment, rules prohibiting the resale of electric service, rules governing service to mixed loads and service to properties of mixed occupancy.

There will also be found rules to cover service connections, service extension policies, prohibition of the use of low power factor devices and equipment which may cause disturbance of service to others, limitations of the use of electric welders and water heaters, and rules governing the size, type, voltage and connection of electric motors.

Limitation of Service:

The CBPU reserves the right to determine its ability to serve any loads which may be offered for connection to the system. Each application which may require the installation of additional lines and transformers or the enlargement of existing lines and transformers, or which involves the connection of out-of-the-ordinary use devices, will be a matter for special consideration.

Apartment Buildings and Multiple Dwellings:

When service is supplied through a single meter to a building containing more than one apartment, the customer has the option of being billed under either Residential Service Rate "A" or General Light and Power Service Rate "B". Not more than one choice in rate will be permitted within any 12-month period.

When a customer elects to be billed under Rate "A", the "charge per customer per month" or "minimum charge" will be multiplied by the number of apartments served through the single meter.

To determine the number of apartments served through one meter, only those rooms, suites or groups of rooms having individual cooking and kitchen sink accommodations within the unit shall be counted as an apartment.

The CBPU shall bear no responsibility or liability for interruptions in service to tenants where more than one unit is supplied by one electric meter and service is in the name of only one of the two, or more, tenants. In addition, the CBPU shall bear no responsibility or liability for interruptions in service to units, metered separately, where the discontinuance of one unit effects all or part of other units.

Multiple Unit Commercial Buildings:

All new construction, remodeled, modified and expanded electric services, over 200 amps, must have a lockable means of disconnect. The disconnect must be located by the CBPU and accessible by the CBPU at all times. Procurement, installation and maintenance of the disconnect is the responsibility of the owner/customer.

The disconnect shall be installed in accord with the latest revision of the National Electric Code, subject to the approval of the Electrical Inspector.

Combined Residential and Commercial Service:

When energy is supplied to a combined residential and non-residential customer, the wiring may be so arranged that the residential usage can be metered separately from the non-residential use.

Service supplied through a single meter will be billed on the residential rate if it can be determined that less than half of the monthly KWh used is non-residential. This determination will be made by the Director of the Coldwater Board of Public Utilities.

If the nature of the business is specifically not applicable as stated in the Residential "A" Rate availability paragraph, then the business must be on the appropriate Commercial Rate.

If it is unable to be determined by the CBPU staff to the Director's satisfaction what portion of usage is residential by the KWh use, then if more than 50% of the square footage is attributable to residential use the rate will be residential. If more than 50% of the square footage is attributable to commercial use, then the rate will be commercial.

Overhead Extension Policy:

General:

When application is made for electric service which requires the extension of the CBPU's existing distribution lines, the CBPU will make such extensions at its own expense when, in the Board's opinion, the estimated annual revenue, probable stability of the business and prospective load growth will reasonably warrant the capital expenditure required.

Farm Service:

Service shall be available to farms for residential use under Residential Service Rate "A", and in addition service may be used through the same meter for any purpose so long as such use is confined to single phase service for the culture, processing and handling of products grown or used on the customer's farm. Use of service for purposes other than set forth above shall be serviced and billed on the appropriate general service rate.

Construction Service:

When application is made for electric service to a construction site that requires the extension of the CBPU's existing distribution or secondary lines, the CBPU will make such extensions up to one pole span. The extension of the lines beyond one pole span will be charged at a rate of \$100.00 per pole.

Overhead Service Connections

Where suitable supply is available the CBPU will install overhead service wires from its distribution lines to a selected point of attachment on the customer's premises. The CBPU shall select the location of this point of attachment. Should it become necessary, for any cause beyond the CBPU's control, to change the location of this point of attachment all costs of any changes required in the customer's service entrance wiring made necessary thereby shall be borne by the customer.

The selected point of attachment for the service wires to the customer's premises shall be such that adequate ground clearances suitable to the use and need of the area crossed over may be maintained and meet proper requirements.

Where the height and design of the building or facility to be served is such that the above stated condition cannot be met, or in the event there is no permanent building, the customer shall provide and continuously maintain at their expense a suitable extension, frame or mast, or a properly guyed, butt-treated line pole with a top diameter of not less than 6 inches and a total length of not less than 25 feet, for the attachment of the service wires, all of which shall meet the approval of the CBPU.

Service runs shall be as short as practicable and terminated with the connection wires extending at least thirty-six (36) inches beyond the service cap or last point of support. When on a building, such terminals shall be carefully located so as to provide adequate clearance of the service drops and connections from windows, shutters, awnings, eaves troughs, downspouts, vent pipes, radio aeriels, lightning rods, chimneys and similar appurtenances of the structure.

Underground Service ConnectionsAt Secondary Voltages:

The CBPU, at its option, may require the owner to install and be responsible for construction of its own underground secondary service from the customer's service to the CBPU's secondary voltage connections.

If the service is provided by the CBPU an appropriate charge may be made to the owner to cover the difference between the cost of overhead and underground for services and/or distribution as may be determined from time to time by the CBPU. The following flat charge for a pole riser will also be made to defer the cost of riser construction:

2" U Guard: \$50.00

3" U Guard: \$75.00

Underground services shall be direct buried if constructed of approved underground cable, or they shall be installed in approved underground conduit or duct, as directed by the CBPU. All underground services shall be effectively protected from mechanical damage for the entire length. All exposed conduits shall be schedule 80 PVC or higher rigid or intermediate steel conduit.

Meter locations shall be provided on the customer's premises as directed by the CBPU. Customers' meters are not allowed to be located on CBPU poles unless by special permission.

At Primary Voltages:

When required the CBPU will provide connections and over-current protection for underground primary service connections, either to serve customer-owned transformers located on their premises or to serve transformers owned by the CBPU and located on the customer's premises.

1. "D" Rate - All costs of installing and continuously maintaining the underground service from the customer's service to and including the cable terminations at the CBPU's end of the underground service or metering point will be the responsibility of the owner. The material and method of construction should meet the specifications of the CBPU, to facilitate maintenance by the CBPU if requested.
2. Other than "D" Rate - All costs of installing and maintaining underground primary services from the CBPU's overhead lines to and including the transformer shall be the responsibility of the CBPU. A charge may be made to the owner to cover the difference between overhead and underground service and/or distribution construction as is determined from time to time by the CBPU. A flat charge for a pole riser may also be made to defer the cost of riser construction.

Contributions for Construction:

The following fees may be waived only if trench of proper depth (primary: 42" minimum and 54" maximum; secondary: 24" minimum and 36" maximum) meeting CBPU specifications is provided and backfilled by customer.

1. Underground Residential Electric Distribution (as in a new subdivision) may be charged at a rate of \$6.00 per lot front-foot and will constitute an in-aid-of-construction fee representing the difference in cost between overhead and underground.
2. Underground Residential Electric Services may be charged at a rate of \$6.00 per trench foot and will constitute an in-aid-of-construction fee representing the difference in cost between overhead and underground.
3. Underground Commercial and Industrial Electric Distribution and Service at Primary Voltages may be charged at a rate of \$6.00 per trench foot plus \$10.00 per KVA of transformer capacity and constitute an in-aid-of-construction fee representing the difference in cost between overhead and underground.

On corner lots where both sides are served by underground distribution, the shorter side shall be used for calculation. Where a curved street represents two sides of a lot, the front-foot measurement shall be considered to be one-half the total measurement of the curved side.

The contribution in-aid-of-construction may be deducted from the cost of conversion from secondary voltage service to primary voltage service.

4. Underground Commercial and Industrial Electric Services at Secondary Voltages when installed by the CBPU may be charged at a rate of \$6.00 per trench foot constituting the difference in cost between overhead and underground service.

The secondary conductor shall be provided by the contractor.

Secondary connections shall be made by CBPU except when mutually agreed to by the contractor and authorized CBPU representative.

With new construction, the CBPU will back fill trench to existing grade. Cosmetic work to be responsibility of contractor or owner.

A charge may be made if extraordinary expenses are incurred by the CBPU when digging a trench because of unfavorable weather conditions, unfavorable soil conditions, frost, unknown obstacles in the trench path, and other similar circumstances.

Other Services:

Customers desiring lighting and/or secondary power service for a short time only, such as traveling shows, outdoor or indoor entertainments or exhibitions, etc., which service requires the installation of a line extension and/or service connections, additional transformers, meters, or other facilities, may pay the cost of installing and removing all of the facilities necessary to supply such service and, in addition, the charge per customer per month provided for in the open order General Light and Power Service Rate "B".

The customer may be required to deposit with the CBPU an amount to cover the estimated cost of installing and removing the necessary facilities plus the estimated cost of service under the terms of the rate set forth above. Meters may be read daily and the deposit modified as the energy used may justify such modification.

Terminal poles and service equipment shall be installed by the customer and be not less than 25 feet total length, 6 inch top diameter, butt-treated and shall be properly guyed.

The actual location of the service shall be determined by the CBPU.

Transformers Located on Customer's Premises

Transformers on Customer's Premises (Other than "D" Rate Customers):

Where service requirements can best be met by the installation of the CBPU's transformers on the customer's premises, such installations will be made in accordance with the best practice for such work.

Pole mounted installations will be made entirely at CBPU expense.

Meter Installation - Meter Wiring:

Meter sockets (up to 320 amp self-contained), service meters, demand meters, metering transformers and metering transformer cabinets will all be furnished and maintained by the CBPU. Customer supplied equipment must meet CBPU specifications.

The CBPU does not furnish metering pedestals, such as those used on mobile home installations. For pedestal installations, the owner/customer is required to provide a Milbank® 200 amp, model U3138 meter pedestal or CBPU approved equivalent. Procurement, installation and maintenance of pedestal and breakers are also the responsibility of the owner/customer.

All conduit for metering purposes and all supports for metering equipment shall be installed by the customer at the expense of the customer.

Electric service meters shall be so located that their registers will not be less than 4-1/2 feet nor more than 6 feet from the floor or grade.

When more than one service entrance switch and/or more than one meter is located on the same premises each such switch and meter shall be plainly marked to show the type of service that it supplies and the apartment or other portion of the customer service that it controls before setting meters.

Load Balance and Use of Service:

All wiring shall be so installed that adequate balance may be had on the several phases of the customer's multi-phase circuits and on the legs of all single phase three wire circuits. No single phase three wire installations shall be made with less than 2 branch circuits radiating therefrom. The customer shall arrange its circuits and operations so as to avoid a fifteen percent (15%) current unbalance between the high and low phases. The customer shall use the service so as not to disturb or to interfere with the CBPU's service to its other customers. Electrically operated devices which could cause objectionable operating conditions on the CBPU's system, as determined by the CBPU, shall not be attached without consent of the CBPU.

Inspection of Electric Wiring:

The Electrical Code, currently in effect, requires that all electrical wiring be installed in accord with the requirements of the National Electrical Code. It also charges the Electrical Inspector with the responsibility of inspecting all electrical wiring so installed.

Anything contained in these Rules, Regulations and Rates in regard to electric wiring is deemed to be cooperative with, and accessory to, any Ordinance or Code affecting that area involved.

Electrical Contractors and Wiremen should become familiar with the several classes of electrical service supplied by the CBPU and with the restrictions and limitations under which each class of service is supplied to the user so that in the carrying out of his work he will arrange customer's wiring and so connect the customer's use devices that not only will the customer be able to obtain the most favorable electric service rate that is available to him but will be able to use his equipment in an efficient manner and with a minimum of disturbance to his source of supply and to others who receive service from the same source.

Inspection of Electric Wiring: (continued)

Before any electric service entrance is installed or remodeled, permission shall be obtained from the CBPU and the Electrical Inspector. Application for such permission shall include full and complete information, including the name of the owner, name of tenant, location of the property and a list of electrical devices to be supplied by the service.

The general design and arrangement, the location and grouping of the entrance switches and meters, the routing of the service entrance run, and the point of contact with the service drops are all subject to the direction of the CBPU and the Electrical Inspector who, jointly with the wireman, will be responsible for the arrangement and character of work.

Service Entrance Wiring:

Electric service entrance wiring shall be installed in accord with the latest revision of the National Electrical Code, subject to the approval of the Electrical Inspector, with the following addition:

Grounding of Services:

All electrical wiring circuits shall be grounded to metallic water pipes. Such connections shall meet all of the requirements of the National Electrical Code and the Electrical Inspector. All such ground connections shall be made to a metallic water service pipe at the point where it enters the building and on the street side of the first valve or fitting. If no metallic water pipe enters the building the grounding conductor shall be run to the well. If no well or metallic water service pipe exists, refer to the National Electric Code for two ground rods at least 8' apart.

Any person who removes any such ground connection shall do so only after taking proper safety precautions against the hazards involved in so doing and shall, upon completion of his work, re-establish such connection in accordance with the provisions outlined herein.

POWER SUPPLY COST ADJUSTMENT

Applicability:

The Power Supply Cost Adjustment shall apply to all CBPU Electric Rate Schedules, except non-metered rates (Street Lighting, Traffic Light and Outdoor Lighting) and the Special Contract Rate. The adjustment shall be applied to all kilowatt-hours billed to the customer in the billing period.

Base Power Supply Cost:

The Power Supply Cost Adjustment is calculated from a base energy charge of \$0.0603 per kWh from the monthly energy cost from the Michigan South Central Power Agency.

Power Supply Cost Adjustment Calculation:

- (a) The Power Supply Cost Adjustment for the month shall be determined by dividing the total energy cost including fixed cost for the previous month's MSCPA billing by the sum of the total kilowatt-hours billed for the same period.
- (b) The Base Power Supply Cost established above shall be subtracted from the actual power supply cost determined above. The result of this calculation shall only be applied to the customer's billing when the calculated value is a positive number only. No credit will be applied when the calculated value is a negative number.
- (c) The Power Supply Cost Adjustment shall be calculated by multiplying the difference calculated above by 1.06 to compensate for distribution system losses.

ENERGY OPTIMIZATION SURCHARGEApplication:

The following surcharges will be applied to residential, secondary, primary and unmetered lighting customers of the Coldwater Board of Public Utilities (CBPU) to recover all costs associated with the implementation of the CBPU's Energy Optimization Plan. These surcharges are mandated by, and consistent with, Section 89(2) of Michigan Public Act 295.

Levelized Surcharges		2009-2012
Residential	Per kWh	\$0.00252
Rate B	Per meter	\$3.76
Rate C	Per meter	\$27.44
Rate D	Per meter	\$200.60
Rate D2	Per meter	\$613.63
Unmetered Lighting	Per fixture	\$0.27

RESIDENTIAL SERVICE
(Open Order Rate "A")

Availability:

Subject to any restrictions, this rate is available to any customer desiring electric service for any usual residential use in private family dwellings, tourist homes, rooming houses, dormitories, nursing homes and other similarly occupied buildings containing sleeping accommodations for up to six persons; during construction of a single-family residential structure; or multifamily dwellings containing up to four households served through a single meter and such appurtenant buildings as garages, barns, chicken houses and similar buildings.

This rate is not available for resale purposes, multifamily dwellings containing more than four living units served through a single meter or for tourist homes, rooming houses, dormitories, nursing homes and similarly occupied buildings containing sleeping accommodations for more than six persons or for any other nonresidential usage or for commercial or industrial enterprises conducted in conjunction with private dwelling, such as beauty shops, filling stations, laundries, retail stores, dairies, hatcheries, greenhouses, welding shops, frozen storage plants, etc., except under the terms and conditions contained in the CBPU's Rules and Regulations and the exception noted herein.

Nature of Service:

Alternating current, 60 hertz, single phase, 120/240 nominal volts.

Rate:

Readiness to Serve Charge: \$6.60 per customer per month, plus
Energy Charge: 9.90 cents per KWH for all KWH

Minimum Charge:

\$6.60 per customer per month.

Special Taxes:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Rules and Regulations:

Service governed by the CBPU's Standard Rules and Regulations. Service for single-phase motors may be included under this rate provided the individual capacity of such motors does not exceed 3 hp, nor the total capacity 10 hp, without the specific consent of the CBPU.

Cancels Rate Dated July 1, 2002

Effective Date January 1, 2007 Billing

ELECTRIC HEATING SERVICE
(Open Order Rate "A-H")

Availability:

Subject to any restrictions, this rate is available to any customer desiring service for domestic, farm, seasonal cottages and mobile homes which include only those purposes which are usual in individual private family dwellings, provided the customer has permanently installed and used electric heating equipment as the primary source of space heating in such dwelling or apartment served through the residential meter.

This rate is also available to commercial customers, if metered separately for space heating, singly or in combination with air conditioning and/or water heating, provided the customer has permanently installed and uses electric heating equipment as the primary source of space heating in the commercial establishment.

Nature of Service:

Alternating current, 60 hertz, single phase or three phase, the particular voltage and phase in each case to be determined by the CBPU.

Rate:

Readiness to Serve Charge: \$7.00 per customer per month, plus
Energy Charge: 9.90 cents per KWH for the first 600 KWH
9.85 cents per KWH for all over 600 KWH

Minimum Charge:

\$7.00 per customer per month.

Special Taxes:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Rules and Regulations:

Service governed by the CBPU's Standard Rules and Regulations. Service for single phase motors may be included under this rate, provided the individual capacity of such motors does not exceed 7.5 hp, nor the total capacity 15 hp, without the specific consent of the CBPU.

GENERAL LIGHT AND POWER SERVICE
(Open Order Rate "B")

Availability:

Subject to any restrictions, this rate is available to any customer desiring lighting and/or secondary power service for any usual commercial, institutional or industrial use. It is also available for construction use and for seasonal use in resort areas under the special terms and conditions contained elsewhere in these Rules and Regulations.

This rate is not available for private family dwellings, resale purposes or for street lighting service except for private streets, mobile home parks or service to temporary street lighting installations.

Nature of Service:

Alternating current, 60 hertz, single phase or three phase. The particular nature of the voltage in each case to be determined by the CBPU.

Rate:

Readiness to Serve Charge: \$9.90 per customer per month, plus

Energy Charge: 12.00 cents per KWH for all KWH

Minimum Charge:

\$9.90 per customer per month.

Special Taxes:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Term and Form of Contract:

Signed order required.

Rules and Regulations:

Service governed by the CBPU's Standard Rules and Regulations.

When the service is three phase, 3 wire, lighting may be included provided the customer furnishes all transformation facilities required for such purpose, and so arranges the lighting circuits as to avoid excessive unbalances of the three phase load. When the service is single phase, or 4 wire, three phase, the single phase individual motor capacity shall not exceed 3 hp, nor the total single-phase motor capacity 10 hp, without the specific consent of the CBPU.

The CBPU may elect to measure the supply on the primary side of the transformers, in which case 3% shall be deducted from the energy measurements for the purpose of billing.

The CBPU may, at its option, require the customer to provide space, suitable to the CBPU, for the installation and operation of transformers.

Cancels Rate Dated July 1, 2002 Effective Date January 1, 2007 Billing

GENERAL LIGHT AND POWER SERVICE
(Optional Rate "C")

Availability:

Subject to any restrictions, this rate is available to any customer desiring secondary voltage service where the billing demand is 5 kw or more. The rate is also available for service to any customer where the CBPU elects to provide one transformation from the available primary distribution voltage to another primary voltage desired by the customer.

This rate is not available for private family dwellings, street lighting service or for resale purposes.

Nature of Service:

Alternating current, 60 hertz, single phase or three phase, the particular nature of the voltage in each case to be determined by the CBPU.

Rate:

Readiness to Serve Charge: \$16.00 per customer per month, plus
Capacity Charge: \$13.00 per KW of billing demand
Energy Charge: 5.3 cents per KWH for all KWH

Minimum Charge:

The capacity charge included in the rate, plus the Readiness to Serve Charge.

Special Taxes:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Determination of Maximum Demand:

The maximum demand, or rate of use of electrical energy, for each month shall be the greatest average load in kilowatts during any 15 minute period of such month, as registered on suitable instruments installed by the CBPU to make such determination.

The CBPU reserves the right to make special determination of the billing demand and/or minimum charge should equipment which creates high demands of momentary duration be included in the customer's installation.

Adjustment of Maximum Demand for Power Factor:

The CBPU may measure or test the power factor of the customer's load during periods of maximum energy use, and if the power factor is so found to be less than 80% lagging, the maximum KW demand shall be increased by the ratio that 80% bears to the power factor of the customer's load.

RATE "C"Exclusion of Valley Hour Demands:

Periods of light load on the CBPU's system are known as valley hours. To promote maximum efficient utilization of power at these times the CBPU offers for large industrial customers, a lessened reckoning of demand occurring during valley hours. From time to time the CBPU will issue a schedule of valley hours showing the extent to which demands created during such hours will be disregarded. The terms of each such schedule will continue in effect until the effective date of the next succeeding schedule.

This exclusion applies only to customers whose demands consistently exceed 100 KW.

Determination of Billing Demand:

The billing demand shall be the maximum demand for each month (after power factor adjustment and valley hours exclusion, if any) but not less than 60% of the highest billing demand of the preceding 12 months. The CBPU reserves the right to make special determination of the billing demand or minimum charge as the circumstances in each case may justify, but in no case shall the billing demand be less than 5 KW.

Term and Form of Contract:

Signed order required. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Rules and Regulations:

Service governed by the CBPU's Standard Rules and Regulations.

When the service is three phase, 3 wire, lighting may be included, provided the customer furnishes all transformation facilities required for such purpose, and so arranges the lighting circuits as to avoid excessive unbalances of the three phase load.

The CBPU may elect to measure the supply on the primary side of the transformers, in which case 3% shall be deducted from the demand and energy measurements for the purpose of billing.

The CBPU may, at its option, require the customer to provide space, suitable to the CBPU, for the installation and operation of transformers.

Instructions for billing a final bill on the "C" rate: When a final reading runs over into the next month with a separate demand charge, the final demand charge shall be waived when less than 10 days have elapsed since the last regular reading date and the final billing shall be figured as if the final reading was in the same month as the last regular reading.

If more than 10 days have elapsed since the last regular reading date, then the final bill shall be figured on a regular one month basis using the final demand charge.

COMMERCIAL AND INDUSTRIAL PRIMARY SERVICERATE "D"Availability:

Open to any customer desiring primary voltage service for Commercial or Industrial use where the billing demand is 25 KW or more.

Nature of Service:

Alternating current, 60 hertz, single phase or three phase, the particular nature of the voltage in each case to be determined by the CBPU.

Monthly Rate:

Readiness to Serve Charge: \$60.00 per month per customer, plus

Capacity Charge:

Winter Season	\$10.50 per KW of billing demand
Summer Season	\$11.50 per KW of billing demand

Energy Charge:

Winter Season	5.35 cents per KWH for all KWH's
Summer Season	5.45 cents per KWH for all KWH's

Seasons:

Winter Season is the months of January, February, March, April, May, October, November and December.

Summer Season is the months of June, July, August and September.

Tax Adjustment:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Minimum Charge:

The capacity charge included in the rate, plus the Readiness to Serve Charge.

Billing Demand:

The billing demand shall be the kilowatts (KW) supplied during the 15 minute period of maximum use in the billing month, but not less than 60% of the highest billing demand of the preceding 12 months, nor less than 25 KW.

Adjustment for Off-Peak Hour Operation:

Demands created during off-peak hours designated by the CBPU in the CBPU's current "Schedule of Off-Peak Hours" shall be disregarded provided the billing demand shall not be less than 33-1/3% of the greatest demand created in such off-peak hours nor less than 100 KW. When in the CBPU's judgment, the customer's billing demands will not be at least 100 KW at all times, the customer shall be required to guarantee in writing a billing demand of at least 100 KW for a minimum term of 12 consecutive months, in order to qualify the customer for the above adjustment for off-peak operation during the period of such guarantee.

RATE "D"Adjustment for Power Factor:

This rate requires a determination of the average power factor maintained by the customer during the billing period. Such average power factor will be determined through metering of lagging kilovar-hours and kilowatt-hours during the billing period. The calculated ratio of lagging kilovar-hours to kilowatt-hours will then be converted to the average power factor for the billing period by using the appropriate conversion factor. Whenever the average power factor during the billing period is above .899 or below .800, the capacity charge will be adjusted as follows:

- (a) If the average power factor during the billing period is .900 or higher, the capacity charge will be reduced by 2%. This credit shall not in any case be used to reduce the prescribed minimum charge or the capacity charge when based upon 60% of the highest billing demand of the preceding 12 months.
- (b) If the average power factor during the billing period is less than .800, the capacity charge will be increased by the ratio that .800 bears to the customer's average power factor during the billing period.

.800 - .900	=	None
.900 - Above	=	2%
.800 - or below	=	Follow (b) above

Rules and Regulations:

Service is governed by the CBPU's Standard Rules and Regulations.

Where service is supplied at a nominal voltage of 13,800 or less, the customer shall furnish, install and maintain all necessary transforming, controlling and protective equipment.

Where the CBPU elects to measure the service at a nominal voltage of less than 13,800, 3% will be added, for billing purposes, to the demand and energy measurements thus made.

Term and Form of Contract:

Signed order required. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Termination of Service:

Customer is required to provide the CBPU 60 days written notification prior to terminating service. In recognition of the CBPU's continued obligation to serve customer's premises, the demand charge will continue for 12 months after any termination of service with the amount of such charge equal to the average demand charge for the 12 months prior to termination. Termination of service shall include any substantial reduction in customer's requirements for or usage of electricity, excluding bonafide changes in customer's load, energy efficiency of energy conservation measures, or changed operating characteristics of energy consuming equipment on customer's premises. The continuation of the demand charge may be waived or amended in the sole discretion of the CBPU based upon such factors as the Utility deems proper.

HIGHLOAD FACTOR INDUSTRIAL PRIMARY SERVICERATE "D-2"Availability:

Open to any customer desiring primary voltage service for industrial use where the billing demand is 2500 KW or more.

Nature of Service:

Alternating current, 60 hertz, three phase, the particular nature of the voltage in each case to be determined by the CBPU.

Monthly Rate:

Readiness to Serve Charge: \$225.00 per month per customer, plus

Capacity Charge:

Winter Season	\$10.50 per KW of billing demand
Summer Season	\$11.50 per KW of billing demand

Energy Charge:

Winter Season	5.3 cents per KWH for 68% of the billing demand multiplied by the number of hours in the billing period, plus 4.0 cents for the remaining KWH's
Summer Season	5.4 cents per KWH for 68% of the billing demand multiplied by the number of hours in the billing period, plus 4.3 cents for the remaining KWH's

Seasons:

Winter Season is the months of January, February, March, April, May, October, November and December.

Summer Season is the months of June, July, August and September.

Tax Adjustment:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Minimum Charge:

The capacity charge included in the rate, plus the Readiness to Serve charge.

Billing Demand:

The billing demand shall be the kilowatts (KW) supplied during the 15 minute period of maximum use in the billing month, but not less than 60% of the highest billing demand of the preceding 12 months, nor less than 2500 KW.

Adjustment for Off-Peak Hour Operation:

Demands created during off-peak hours designated by the CBPU in the CBPU's current "Schedule of Off-Peak Hours" shall be disregarded provided the billing demand shall not be less than 33-1/3% of the greatest demand created in such off-peak hours nor less than 2500 KW. When in the CBPU's judgment, the customer's billing demands will not be at least 2500 KW at all times, the customer shall be required to guarantee in writing a billing demand of at least 2500 KW for a minimum term of 12 consecutive months, in order to qualify the customer for the above adjustment for off-peak operation during the period of such guarantee.

Adjustment for Power Factor:

This rate requires a determination of the average power factor maintained by the customer during the billing period. Such average power factor will be determined through metering of lagging kilovar-hours and kilowatt-hours during the billing period. The calculated ratio of lagging kilovar-hours to kilowatt-hours will then be converted to the average power factor for the billing period by using the appropriate conversion factor. Whenever the average power factor during the billing period is above .899 or below .800, the capacity charge will be adjusted as follows:

- (a) If the average power factor during the billing period is .900 or higher, the capacity charge will be reduced by 2%. This credit shall not in any case be used to reduce the prescribed minimum charge or the capacity charge when based upon 60% of the highest billing demand of the preceding 12 months.
- (b) If the average power factor during the billing period is less than .800, the capacity charge will be increased by the ratio that .800 bears to the customer's average power factor during the billing period.

.800 - .900	=	None
.900 - Above	=	2%
.800 - or below	=	Follow (b) above

Rules and Regulations:

Service is governed by the CBPU's Standard Rules and Regulations.

Where service is supplied at a nominal voltage of 13,800 or less, the customer shall furnish, install and maintain all necessary transforming, controlling and protective equipment.

Where the CBPU elects to measure the service at a nominal voltage of less than 13,800, 3% will be added, for billing purposes, to the demand and energy measurements thus made.

Term and Form of Contract:

Signed order required. Customers electing this option rate shall, in the absence of bona fide discontinuance of service, remain thereon for at least twelve (12) months.

Termination of Service:

Customer is required to provide the CBPU 60 days written notification prior to terminating service. In recognition of the CBPU's continued obligation to serve customer's premises, the demand charge will continue for 12 months after any termination of service with the amount of such charge equal to the average demand charge for the 12 months prior to termination. Termination of service shall include any substantial reduction in customer's requirements for or usage of electricity, excluding bonafide changes in customer's load, energy efficiency of energy conservation measures, or changed operating characteristics of energy consuming equipment on customer's premises. The continuation of the demand charge may be waived or amended in the sole discretion of the CBPU based upon such factors as the Utility deems proper.

SPECIAL CONTRACT

Availability:

RATE "S-C"

Rate is not available to new customers.

This rate can apply to any commercial or industrial customer which meets the requirements of this rate where: (i) service is provided at primary voltage; (ii) new full-requirements customers with a minimum billing demand of 3,000 KVA or more; or (iii) existing full-requirements customers adding 3,000 KVA to their existing load as long as this new load is separately metered.

Nature of Service:

Alternating current, 60 hertz, three phase, the particular nature of the voltage in each case to be determined by the CBPU.

Monthly Rate:

To be established by contract to be entered into between the customer and the Coldwater Board of Public Utilities upon a determination that it is inappropriate for the customer to be placed in another established rate schedule.

The minimum rate shall be set to ensure payment of direct and variable costs to serve and contribute toward fixed costs.

Tax Adjustment:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority (1) upon the CBPU's generation or sale of electrical energy; (2) upon the fuel used by the CBPU or its suppliers in generating electrical energy; or (3) which otherwise increases the CBPU's costs of generating or providing electrical energy.

Minimum Charge:

To be established by contract.

Power Cost Adjustment:

To be established by contract.

Billing Demand:

To be established by contract.

Adjustment for Off-Peak Hour Operation:

To be established by contract.

Adjustment for Power Factor:

To be established by contract.

Term and Form of Contract:

Customers receiving service under this rate will be required to enter into a written contract with the CBPU for a period no less than 36 months and will be responsible for the installation, modification, addition, or removal of any facilities or equipment necessary to facilitate service under this rate. This rate is not available for resale purposes.
Cancels Rate Dated - - - - Effective Date March 3, 1996, Billing

Schedule of Off-Peak Hours

Rate "C":

9:00 a.m. to 6:00 p.m.	On-Peak
6:00 p.m. to 9:00 a.m.	Off-Peak (60% of greatest demand whenever created and in no case less than 5 KW)

Rates "D", "D-2", "E-D" and "C-H":

9:00 a.m. to 6:00 p.m.	On-Peak
6:00 p.m. to 9:00 a.m.	Off-Peak (33-1/3% of greatest demand whenever created)

NOTE: Weekends and holidays are considered off-peak hours in all rates. The above off-peak hours may be changed by Board action from time to time as system characteristics change.

STREET LIGHTING SERVICE
RATE "SL-1"

Availability:

Open for street lighting service.

Nature of Service:

The CBPU furnishes, installs and owns the entire equipment including poles, overhead lines, supply equipment, luminaries, supporting brackets, suspension cables, lamps and control equipment. The CBPU supplies the energy, replaces luminaries and lamps and maintains the entire equipment.

Rate:

The charge per lamp per year, payable in equal monthly installments, shall be:

<u>Lamp Rating in Lumens</u>	<u>Wattage or Type</u>	<u>Rate</u>
15,000	400 W MV*	\$207.33
24,000	250 W H.P.S.	179.83
10,000	250 W MV*	138.58
7,200	175 W MV*	120.59
14,000	150 W H.P.S.	121.65
45,000	400 W H.P.S.	247.53

* Mercury vapor lamps are not available for new street lighting service.

Discount:

None.

Special Taxes:

Bills shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority upon the CBPU's generation or sale of electrical energy.

Hours of Lighting:

Street lights shall be burning at all times when the natural general level of illumination is lower than about 3/4 foot candle, and under normal conditions this is approximately one-half hour after sunset until approximately one-half hour before sunrise.

TRAFFIC LIGHT SERVICE

RATE "SL-4"

Availability:

Open for incandescent lamp installations maintained for traffic regulation or guidance, as distinguished from street illumination and police signal systems.

Nature of Service:

City furnishes and installs all fixtures, lamps, controls and other equipment, including wiring to point of connection with the CBPU's overhead or underground system, as directed by the CBPU. CBPU makes final connections to its lines. City maintains equipment, including lamp renewals, and CBPU supplies energy for its operation at City expense.

Rate:

6.9 cents per watt of active load per month.

Determination of Active Load:

The active load used in applying the above rate shall be determined as follows:

The active load of flasher lamps or cyclically operated traffic control lamps shall be 50% of the total wattage of all lamps used during one complete cycle of operation. The active load of continuous, non-intermittent lamps shall be 100% of the total wattage of all lamps used. The total load of gaseous discharge light source shall include the VA rating of the ballast or transformer. No reduction on active load will be made for traffic control lamps not operated 24 hours per day or for lamps not operated every day, except that the active load of lamps used for the control of school traffic and operated not more than 6 hours per day during the school year only shall be 10% of the total wattage of lamps used. The connected load of traffic signal control devices shall not be included in the active load.

Discount:

None.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority upon the CBPU's generation or sale of electrical energy.

OUTDOOR LIGHTING SERVICE
RATE "OL"

Availability:

Available for outdoor lighting to any Coldwater Board of Public Utilities customer upon proper contract execution.

Monthly Rate:

7,000 Lumen (175 W) Mercury Vapor Lamp*	\$9.70 net each
20,000 Lumen (400 W) Mercury Vapor Lamp*	\$21.03 net each
14,000 Lumen 150 W H.P.S. Flood	\$11.87 net each
24,000 Lumen 250 W H.P.S. Flood	\$16.18 net each
45,000 Lumen 400 W H.P.S. Flood	\$21.03 net each
140,000 Lumen 1,000 W H.P.S. Flood	\$35.59 net each
22,000 Lumen 250 W Metal Halide Flood	\$16.18 net each
40,000 Lumen 400 W Metal Halide Flood	\$21.03 net each
125,000 Lumen 1,000 W Metal Halide Flood	\$35.59 net each

* Mercury vapor lamps are not available for new outdoor lighting service.

Special Taxes:

Bills shall be increased to offset any specific tax or excise imposed by any governmental authority.

General:

The CBPU will at its own cost, install, furnish the current, and maintain its standard outdoor lighting equipment. Facilities shall consist of fixture with photoelectric switch control and a support mounted on an existing pole or building at which 120 volt service is available. If an existing pole or building is not available, the CBPU may furnish the pole. An additional charge of \$1.20 per month will be billed for each pole provided by the CBPU. Cost of any additional facilities required shall be paid by the customer.

Customers desiring underground electric service to outdoor lights will be charged for the difference in cost between overhead and underground service unless the customer provides trenching and back filling meeting CBPU specifications.

When service is terminated, within six months after installation, the customer shall pay the cost of removing any CBPU installed equipment.

The above facilities shall be owned and maintained by the CBPU.

RATE "OL"

General: (continued)

The CBPU will replace burned out lamps and otherwise maintain the equipment during regular working hours as soon as practicable following notification by the customer.

Burning hours shall be from dusk until dawn, aggregating approximately 4000 hours per year. Credit will not be allowed for normal lamp outages.

Customer shall obtain proper approval for lights to be located on public thoroughfares.

Outdoor lighting on rented property shall be removed upon order of the property owner only. The monthly charge of lighting shall continue to be the responsibility of the owner unless the tenant agrees to assume the charges.

Billing:

Billings for partial months shall be prorated on a daily basis.

WHOLE HOUSE SURGE PROTECTION SERVICE
RATE "WHSP"

Availability:

This rate is available for whole house surge protection to any Coldwater Board of Public Utilities customer with 120/240VAC, 100A - 200A, single-phase service. Subject to any restrictions and proper execution of contract.

Monthly Rate:

The following monthly charge will be made for all such whole house surge protection installations.

For each metered service \$5.99 per month

The above rate includes sales tax.

Term and Form of Contract:

Customers receiving service under this rate will be required to enter into a written contract with the CBPU for a period of 24 months.

LOAD PROFILE/REAL TIME METERING SERVICE
RATE "LPRT"

Availability:

This rate is available to any Coldwater Board of Public Utilities electric customer. Service is subject to any restrictions and proper execution of contract.

Nature of Service:

This service gives the customer access to 15-minute demand load profile meter information and/or real time energy information via the Internet.

Monthly Rate per Meter:

Load Profile Service	
Connected via CBPU Telecommunications System	\$35.00
 Load Profile Service	
Connected via Customer Telephone Line	\$30.00
 Real Time Data Service	
Connected via CBPU Telecommunications System	\$135.00

The above rates include sales tax.

Term and Form of Contract:

Customers receiving service under this rate shall be required to enter into a written contract with the Utility for a time period and monthly rate to be specified in the contract.

COMMERCIAL SURGE PROTECTION SERVICE
RATE "CSP"

Availability:

This rate is available for commercial surge protection to any Coldwater Board of Public Utilities customer with 120/240VAC, 100A - 200A, single-phase service or 208/220/240/277 VAC three-phase service. Subject to approval by the Utility and proper execution of contract.

Monthly Rate:

The following monthly charge will be made for all such commercial surge protection installations.

For each metered service \$9.99 per month

The above rate includes sales tax.

Term and Form of Contract:

Customers receiving service under this rate shall be required to enter into a written contract with the Utility for a time period and monthly rate to be specified in the contract.

General

Industrial and commercial water and wastewater customers shall advise the CBPU when they make in-house alterations which may affect their water usage or discharges to the sanitary sewer. These alterations may involve changes in volume and/or contaminants in the wastewater.

Permits:

No work of installing, replacing, connecting, extending, or altering any piping, fixtures, or other appurtenances that are in any way connected with or served by the water or sanitary sewer systems of the CBPU shall be performed except that at all times the State/County plumbing code is followed. The owner or his properly Licensed Master Plumber is responsible for the taking out of all permits, rendering of all reports, and the payment of all fees in conjunction with the given work.

Exception to the above may be had when persons, who are both owner and resident of their property, are granted permission by the State/County Plumbing Inspector to act as their own plumber in the performance of such work on their own premises.

All such work is subject to inspection by the State/County Plumbing Inspector and/or City Building Inspector who are responsible for the integrity of the work within his limits and by the Inspector of the Coldwater Board of Public Utilities who is responsible for the integrity of the balance of the work.

No work of plumbing shall be started until all county, state, City and CBPU permits applicable thereto have been obtained. In making application for CBPU permits the applicant shall state in detail the work to be performed and when required to do so shall submit complete plans and specifications with his application.

No permits are necessary for the repair of leaks, replacing of pipes, replacing of fixtures, or for the unstopping of sewer and waste pipes, when no change in the number and type of water and/or sewer connections are involved.

Regulations governing the issuance of permits for tapping and connecting of house service piping and house drains will be found elsewhere herein.

Capacity Fee:

A one-time capacity fee may be levied for a new customer's water or sewer service. This fee shall be established by the Board and may be revised periodically as approved by the Board.

Number of Services to one Property:

No more than one water or house sewer service connection may be extended to serve a single property or residential dwelling unit except by special permission to do so, and then only when such services are maintained entirely free of any and all interconnections that may, at any time, by-pass any water main valve or otherwise result in disturbance to the normal operation of the water and/or sewer systems. The water service line must be run to each property or building independently from its own shut-off at the street to allow for control by the CBPU.

Residences may have a second water service to supply a metered sprinkling service.

Connection of Flowing and Automatic Devices:

Commercial and industrial customer connections for supplying water to fountains, irrigation systems, and area sprinkling systems, or to any type of continuous flowing, or automatically controlled device, shall be made only on premises where the entire supply of water is furnished through water meters.

Residential customers supplying water to free flowing devices, such as irrigation systems and fountains, must be metered. These devices may be metered separately from the main water meter. A metering inspection permit must be obtained from the CBPU prior to the installation of the meter. An application fee in the amount of ten dollars (\$10.00) will be charged with each permit issued to cover the expense incurred by the CBPU to make the necessary inspections. Failure to comply with this regulation will subject the customer to discontinuance of service.

Use of Water for Heat Pumps:

Municipally supplied water may not be used to supply the thermal requirements of heat pump type space heating and cooling.

Rules of ConstructionGeneral:

These rules of construction apply equally to work being installed new and to work of repair and replacement and are deemed to be cooperative with and accessory to that ordinance or code currently in effect.

Joint Construction:

Water service pipes and house sewer pipes may be laid jointly in the same trench if done according to existing State/County/CBPU regulations.

Water service pipes and metallic gas pipes may not be laid jointly.

House sewer pipes and gas pipes may not be laid jointly.

All jointly laid piping shall be so installed that it is in accordance with the State/County plumbing code.

Where separate trenches are required a horizontal separation shall be maintained which is in accord with the State/County plumbing code.

Excavation and Backfill:

No excavation shall be started until all permits, including street opening permits, have been obtained and the general layout of the work has been carefully planned and agreed upon.

All unusable paving material, large rocks, masonry, roots and other debris, removed during excavation, shall be segregated from the clean earth, usable sod and paving materials, and removed from the site. No such materials shall be used in the backfill.

The trench shall be carefully brought to grade with a minimum of excess excavation and a suitable bed for the pipe or pipes prepared from clean sand and gravel from which all large stones and debris has been removed.

After the pipe has been laid it shall be covered with carefully selected material solidly compacted for a distance of not less than one foot above its top, extreme care being exercised to prevent its disturbance and/or injury.

Excavation and Backfill: (continued)

The balance of the trench may then be filled and compacted for its entire depth by wetting, by tamping, or by combined wetting and tamping, suitable allowance being made for final settlement. The sod shall then be replaced and/or top soil and grass seed used to restore the grassed areas as near as possible to their original condition. Paved areas shall be treated with a temporary surfacing or otherwise, as directed by the City Department of Municipal Services pending final repaving by that department.

The CBPU may deny any utility service for failure to adhere to the above requirements.

Protection to Work and to Others:

Ample protection shall be provided for all persons having access to the working area. Protection during construction and protection against possible damage due to settlement or disturbance after construction shall be provided for all adjacent piping, trees, shrubs, walks, curbs, buildings and other structures.

Construction of Pits and Manholes:

Due to State and Federal regulations regarding confined spaces, the construction of pits and manholes is strongly discouraged for the installation of water and sewer meters, backflow devices, bypasses, etc.

When water/wastewater meters are installed in crawl spaces, the main valve and water/wastewater meter must be accessible from the outside of the crawl space.

Water/wastewater meters will not be installed in locations considered confined spaces or requiring the installer to crawl under buildings. These locations are an extreme hazard to the Board's personnel. Additional plumbing required, due to improper location, must be completed by the property owner or his or her plumber at the property owner's expense before the water/wastewater meter is installed.

Pits and manholes installed for use in connection with water and house sewer service lines shall be substantially constructed of masonry, with sidewalls not less than 6 inches in thickness, with suitable conical or reinforced concrete top slabs of ample strength to suit the greatest load to which they may be subjected, and with round cast iron manhole rings and covers of equivalent strength.

Manhole rings and covers shall have clear access openings of not less than 19 inches.

When required to do so, and in addition to the access opening above described, a similarly constructed round cast iron lamp hole ring and cover, with a clear opening of not less than 8 inches, shall be provided and placed as directed. Such openings to be installed for the purpose of meter reading, hand valve operation, etc.

Pits or manholes may be round, oval, square or rectangular, with a minimum clear inside dimension of 4 feet or more.

Construction of Pits and Manholes: (continued)

The customer shall provide a 1/2" rigid or intermediate metal type conduit from the interior of the meter pit or manhole to a point specified by the CBPU for the remote reader installation.

All equipment installed within each pit or manhole shall comply with CBPU requirements.

Water Supply Taps and Services

Permits for installing water taps and services shall be purchased by the property owner, or by a licensed master plumber representing the property owner at the CBPU general offices.

The size and location of water taps and service pipes, the size and location of water/wastewater meters that are to be used in connection therewith, and the time that such installations are to be made will all be determined by the CBPU in conference with property owner and/or his plumber.

No such installation shall be made during freezing weather or when there is frost in the ground except upon prepayment of a sum estimated as being necessary to defray the extra expense which may be incurred on account of such freezing weather or frost.

Water services for corner lots shall be tapped to the nearest watermain. By special request and upon prepayment to the CBPU of an amount estimated to represent the extra expense involved on account of the increased distance, permission may be granted for tapping to the farther watermain.

Fees for Water Taps and Services:

All fees for the installation of new water taps and services may be required to be paid in advance. Fees do not include costs to repair sidewalks and/or curbing.

A paved street is taken as any street which has been hard surfaced for any part of its width with brick, concrete, blacktop, or other similar materials, either with or without special gutter or curb and gutter, the paved street fee applying whether or not it is necessary to remove any part of the pavement in making the water tap or service installation.

FEES

For Installation in Unpaved Streets:

For a 3/4" tap with 3/4" service pipe -----	\$1,041.00
For a 1" tap with 1" service pipe -----	\$1,267.00
For a 1-7/16" tap with 1-1/2" service pipe -----	\$1,835.00
For a 1-7/8" tap with 2" service pipe -----	Cost
For 4", 6" and 8" tap and service -----	Cost

For Installation in any Blacktop Paved Street:

For a 3/4" tap with 3/4" service pipe -----	\$2,130.00
For a 1" tap with 1" service pipe -----	\$2,355.00
For a 1-7/16" tap with 1-1/2" service pipe -----	\$2,815.00
For a 1-7/8" tap with 2" service pipe -----	Cost
For a 4", 6" and 8" tap and service -----	Cost

Water Supply Taps and ServicesFor Installation in any Paved Concrete Street and/or Concrete Street with Asphalt Surface:

For a 3/4" tap with 3/4" service pipe -----	\$3,225.00
For a 1" tap with 1" service pipe -----	\$3,450.00
For a 1-7/16" tap with 1-1/2" service pipe -----	\$3,855.00
For a 1-7/8" tap with 2" service pipe -----	Cost
For a 4", 6" and 8" tap and service -----	Cost

Cost Recovery Fees:

On the streets where distribution mains have been installed, or other extensions were installed at the expense of the Water Dept., the cost for service connections will be based on the CBPU cost to install 6" watermain (in dollars per foot) which is revised from time to time. The connection fee to be collected is the revised cost at the time of connection.

The connection fee is calculated from the width of the property to be served, herein referred to as frontage. The connection fee is based as determined by the CBPU. For a property on a corner lot the frontage will be for the shorter side.

Enlarging or Relocating Water Taps and Services:

The fee for replacing a smaller water tap and service pipe with a larger one, or for the purpose of relocating the water service, shall be the same as the fee for a new tap and service, plus the cost of removing the tap and service being replaced. No credit will be allowed for any materials which may be recovered from the replaced service. This fee shall be borne by the customer.

New Construction Water Meter Sets:

When facilities are constructed by a contractor, the electric service may not be transferred from the contractor's name and the construction rate to the property owner's name and a different rate until such time as a water meter has been installed and the water turned on. In the case of residences, if the homeowner is also the builder, no residential electric service shall be established until such time as a water meter has been installed.

Residential Water Services:

All new construction of single or two-family residences, homes built on lots which have or had water service, and homes that change from wells to the public water supply shall be required to be metered. The CBPU will furnish a meter setting device. The setting device must be installed by the owner and/or the contractor to CBPU specifications. Water will not be turned on until the meter is properly set and inspected by CBPU.

Newly constructed duplex homes must have separate water services to each dwelling unit from the primary water main at the street.

Construction for water services to multi-customer buildings must have sufficient plumbing to isolate, meter and shut off each customer individually without interrupting service to the other customers.

Water Supply Taps and ServicesFrozen Water/Wastewater Meters:

CBPU water customers may be charged a service fee of \$25.00 plus the cost of parts to repair frozen water/wastewater meters.

Construction of Water Services and Metering:

Per the fee schedule, the CBPU will install a suitable main connection, a service pipe, and a curb stop or gate valve with an access box located at a point which would normally be placed between the sidewalk and the curb, shoulder, easement or right of way. From this point the plumber/owner shall install the house service pipe. Water service connections must be made only to watermains maintained by the CBPU. Water connection location must meet CBPU approval. Water connections for domestic use are prohibited from private fire protection systems. This requirement is necessary to provide better quality water for domestic use.

The customer's service pipe shall be equal in size or not to exceed one size larger than the pipe from the main, and shall be carefully installed in accordance with the best water works practice, with not less than 5 feet of earth cover for its entire buried length. If warranted the customer's service pipe can be smaller than the service from the main upon the approval of the CBPU. All new water services shall be 1" or larger.

Water service pipes shall be terminated with an approved valve in approved frost proof basements, cellars, pits or manholes, into which they are to be carried continuously at a depth of not less than 5 feet.

In houses and other buildings that are constructed without basements or cellars and where adequate provision can be made for protection against freezing even should the building be unheated for extended periods of time, the following alternate method of terminating house water service pipes is permissible.

The house service pipe shall be run in under the floor slab of the building at a depth of not less than 5 feet. It shall then be brought up through the floor slab, with a long bend, and terminated with an approved valve located not less than 6" or more than 10" above the floor. All required frost protective measures shall be installed at the time the service pipe is placed and before the work is finally approved for use.

Each new or rebuilt water service shall be provided with metering connections adjacent to the valve. Provision shall be made for a meter placement for each unit of building occupancy and each such meter placement shall be provided with its own valve in addition to the main valve.

Meter bars or horns will be furnished by the CBPU, for installation with all new and rebuilt water services. Meter or meter bar installations must have one valve before and one valve after the meter or meter bar. Such services will not be turned on until the meter bar is installed properly.

Water Supply Taps and Services

Construction of Water Services and Metering: (continued)

All entrance and meter piping shall be carefully installed in a neat, workmanlike manner and shall be adequately supported so that no undue strains may be placed upon the pipes, valves and/or meters.

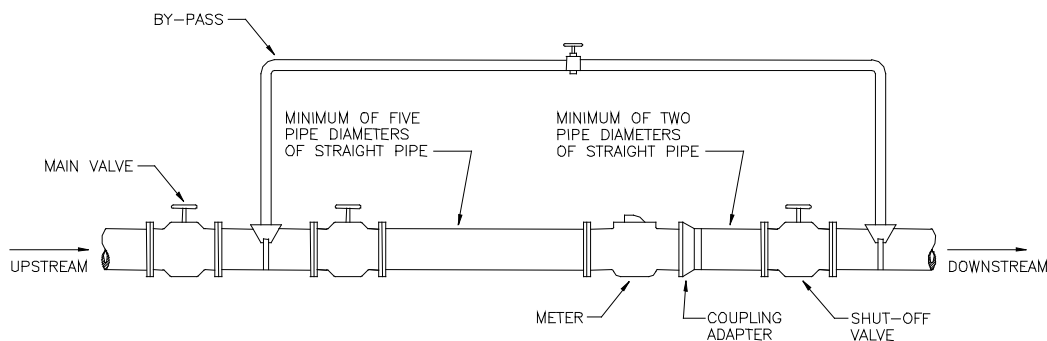
Minimum clearances must be maintained between the back wall and wall side edge of meter being installed. There must also be a minimum clearance of 6" from the bottom of each meter to the floor and a maximum height of 48" from the floor.

All water/wastewater meters are to be installed as close as is practical to the main shut-off valve inside the building. The main valve itself is to be located as close as practical to the point of entry into the building.

The following clearances must be maintained for proper installation of water/wastewater meters and meter bars:

Meter Size	Wall Clearance		Floor Clearance	
	Minimum		Minimum	Maximum
5/8 x 3/4"	4"		6"	48"
3/4"	5"		6"	48"
1"	6"		6"	48"
1-1/2"	7"		6"	48"
2"	8"		6"	48"
3"	9"		6"	24"
4"	10"		6"	24"
6"	12"		6"	24"
8"	14"		6"	24"

All new water meter installations three inches and above shall be furnished with a meter bypass. When a meter by-pass is installed the drawing below must be followed. There must also be a 16" clearance maintained over the meter if by-pass is installed above meter. No by-pass can be installed on front side of meter. The area below or behind meter is the preferred location for a by-pass. Water/wastewater meter installations 3" or larger in size may be furnished with a screen. The meter bypass shall be locked or sealed by the CBPU. If the seal is broken for emergency situations the CBPU must be notified immediately.



Water Supply Taps and ServicesConstruction of Water Services and Metering: (continued)

No water/wastewater meters shall be installed in basements, cellars, or pits that are not equipped with approved access ladders or stairs, nor in any manner that the meter reader will be required to lift excessively heavy manhole covers or other equipment or to climb into and out of difficult places and the area in front of meters must be kept clear at all times in order to gain access to them.

All water/wastewater meters in pits or manholes must be equipped with a remote reader.

Where a water service pipe enters through a basement, cellar, pit or manhole wall, or through a masonry floor, it shall be provided with an approved sleeve, properly joined and pointed with the masonry and thoroughly caulked with a suitable caulking mixture to form a good workmanlike protection for the pipe. Where the pipe enters through the floor the sleeve shall extend above the finished surface of the floor for a distance of not less than 4 inches.

The point of entrance of the water service pipe into the basement, cellar, pit or manhole shall be carefully selected as to suitability and shall at all times be kept free and clear of objectionable storage such as coal, wood, oils, waste materials, and similar items detrimental to the water service equipment and/or limiting access thereto.

Confined Space Water/Wastewater Meter Locations:

Water/wastewater meter installations in crawl spaces or other confined spaces must have CBPU location approval before installation of the water/wastewater meter.

Water Materials:

Materials for the construction of new and the replacement of old water supply services and private water systems are limited to the following, with full preference being given to a material selection harmonious with the CBPU's material selection for such construction from the main to the curb stop or gate:

1. Cold drawn, soft annealed seamless copper service pipe, in 3/4", 1", 1-1/2" and 2" sizes only, of proper bending temper, U.S. Government Type K, specification WW-T-799, with approved flanged, flared or soldered type bronze connections. Each run of pipe shall be, so far as practicable, in one continuous length free from joints and splices.
2. For 2" size and larger - copper service pipe of the type specified in (1) above, or American Water Works Association specification bell and spigot, mechanical, or push-on type joint ductile or cast iron watermain, designed for not less than 150 pounds water working pressure.

Water Regulations

Electric Continuity:

All water systems and services are required to be electrically continuous. Each pipe or fitting shall be electrically bonded to the adjacent pipe or fitting.

Taps and Services Under Paving:

Before any paving is laid or relaid in the City of Coldwater, the CBPU may, at its option, extend a suitable water service pipe to the sidewalk in front of each abutting property not then so provided, the owner of the property being charged with the tap fee that is applicable to such an installation in an unpaved street. If this fee is not paid upon installation, the tap fee charge may be increased to that fee applicable to a paved street, this increased fee to be paid in full before service may be taken from the connection so provided.

The CBPU shall in no way be held liable for failure to extend any water supply service in this manner preceding paving or repaving.

Water Leakage:

No water customer shall permit his water supply pipes, connections or fixtures to be out of repair so that water leakage can occur. Failure to do so may result in discontinuance of service. The CBPU may charge a customer an estimated amount for water wasted because of the leak if not repaired in a reasonable time.

The Board may, at its discretion, adjust a metered billing for water and wastewater due to an unknown leak on the customer's premises, after repairs have been made.

No water supply pipes, connections or fixtures shall be installed unprotected from frost, in unheated rooms or apartments, on outside uninsulated walls, or in any other manner so that water must be left running to prevent freezing.

Where water is used for filling tanks or other receptacles, an automatic float valve shall be provided so that when full of water the supply shall positively be cut off.

Pollution of Water Supply - Cross Connections:

The Michigan Safe Drinking Water Act, Act 399, P.A. 1976 prohibits cross connections with any public water supply.

See Section 1040.04 of the Codified Ordinances.

Water RegulationsCurb Boxes:

No unauthorized person shall open or attempt to open any curb or gate box. No unauthorized person shall cover or conceal any curb or gate box. At any time it is desired to change the surface grade near any curb or gate box the CBPU shall be given proper notice so that the box grade may be changed to correspond.

Operation of Fire Hydrants:

1. Private Hydrants

The operation by the owner of privately owned fire hydrants for other than fire fighting purposes is prohibited except when any one of the following requirements are met:

- a. Written permission is obtained from the Director of the CBPU.
- b. Verbal permission is obtained by the office of the Water Superintendent less than 12 hours prior to actual hydrant operation.
- c. Arrangements are made to have a CBPU representative present during operation.

In all cases a properly sized hydrant wrench must be used.

2. CBPU Hydrants

CBPU fire hydrants shall be operated by authorized personnel of the fire department, street department, and CBPU and such others as may be authorized by the Director of the CBPU from time to time.

When water is required for construction purposes, etc. and other means of obtaining water is not readily available, application may be made to the CBPU for use of water from an existing fire hydrant. It will be the responsibility of Board personnel to install a meter complete with sill cock for the attachment of a garden hose or fire hose, if applicable, on the fire hydrant and turn the hydrant on.

As soon as the use for which the meter was set is completed, Board personnel will close the hydrant, check for proper "drain back" and remove the meter.

It will be the responsibility of the person requesting the use of temporary water to pay for the installing, removing, the turning on and off of the hydrant and the water used and any damage, loss or theft which may result from such temporary use of hydrants.

Installation, removal, operation of fire hydrant - \$40.00 labor during normal working hours.

Water will be charged at the standard rates as published.

If more than one location is required, the same meter will be relocated and the above rate will apply to such location and installation.

Water RegulationsUse of Shut Off Keys:

No unauthorized persons are permitted to use operating wrenches, curb stop keys, or gate keys on any curb stop, gate valve or fire hydrant.

Cleaning of Service Pipes:

When water customers experience low pressure or stoppage of flow the CBPU shall take steps to restore proper service. Under the direct supervision of the customer's Master Plumber, the CBPU shall use the clean-out equipment necessary. The CBPU shall not be liable for any damage resulting from such cleaning of the water service. A homeowner may waive the requirement to have a Master Plumber present by signing a "release of responsibility" form.

Excess Pressure:

No person shall use any pump, ram or other device on any piping system connected with the water piping system, which is capable of producing a pressure in excess of the normal water pressure unless a representative of the CBPU is present and is in direct charge of the work.

Grounding of Electrical Circuits:

Where electric light and power circuits, communication circuits, and radio systems are grounded to the water service pipes, such connections shall be made mechanically and electrically secure and in accordance with the grounding provisions of the National Electrical Code.

All such ground connections shall be made to the service pipe where it enters the building and on the street side of the first valve or fitting.

Any person who removes such ground connection for work in or about the plumbing or electrical system of the building shall do so only after taking proper safeguards against the hazards involved and shall, upon completion of his work, reestablish such connections in accordance with the provisions outlined above.

Sprinkling and Other Use Limitations:

Except by special permit to do so, no unmetered customer shall operate or permit the operation of any lawn sprinkling device of any nature whatsoever between the hours of 10:00 p.m. and 4:00 a.m. or during such other hours as the CBPU may from time to time direct.

In the event of an emergency the CBPU reserves the right to place any restriction that it deems necessary on the use of city water, that the health, safety and other interests of the water users and of the water supply systems may be safeguarded.

Payment and Use of Water:

Water customers shall not use water for any other purposes than that for which payment has been made nor permit others to do so.

Disconnecting and Sealing:

Unmetered water rates on two family units are based upon the number of living units connected for use. When it is desired to avoid payment of the rate on any unit it is necessary to have the unit completely and effectively disconnected; or at the option of the customer, a water meter may be installed.

When, in the judgment of the CBPU, it is undesirable to require such a disconnection the CBPU may agree to seal or lock such units where the customer makes satisfactory provisions for such sealing or locking. Costs involved in such sealing or locking may be chargeable to the customer.

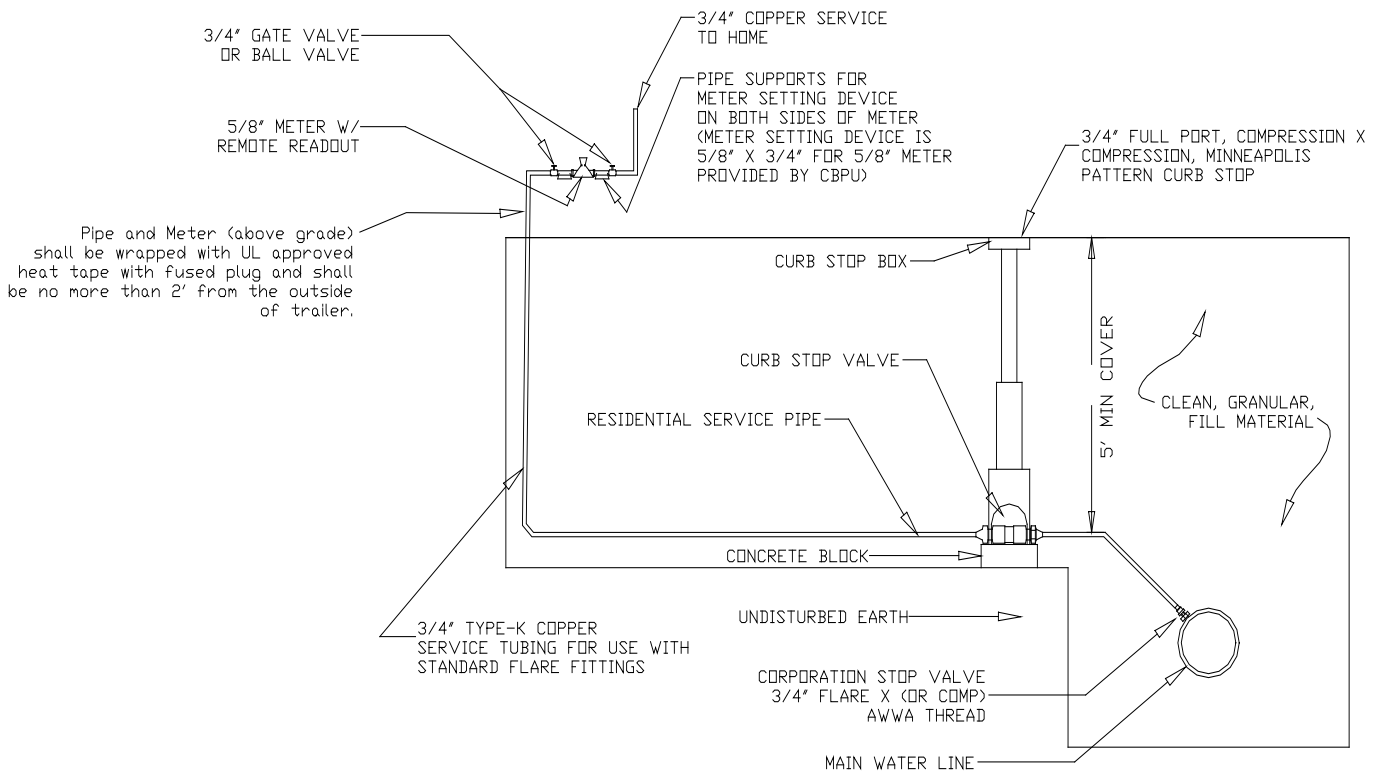
Any unauthorized breaking of any such seal or lock by or for the customer shall constitute sufficient ground for denying him further sealing and locking privileges and can subject the customer to a charge for the back billing of up to six months.

There may be situations where remodeling of the property is to such an extent that the extra unit is eliminated, while retaining some plumbing fixtures. When this has been accomplished, the property may be reclassified by the CBPU as a single family residence, after inspection by the CBPU and the approval of CBPU management.

Residential Metered Services:

If a meter horn or meter setting device is already present in the proper location, the CBPU will install the meter and run meter wire at no cost; otherwise the customer is responsible for installing a meter horn or meter setting device.

Any residential complex containing three units or more must be metered either individually or centrally metered to register all units.



NOTE: RESIDENTIAL SERVICE PIPE SHALL BE TYPE "K" COPPER TO THE METER SETTING DEVICE W/ VALVES UPSTREAM & DOWNSTREAM OF THE METER CORPORATION STOPS SHALL BE A.W.W.A. APPROVED.

NOTE: CUSTOMER MUST PROVIDE 1/2" PLASTIC CONDUIT FROM THE WATER METER TO ELECTRIC METER PEDISTAL

NOTE: ALL PIPE & FITTINGS MUST BE ELECTRICALLY CONDUCTIVE

INDIVIDUAL WATER SERVICE CONNECTIONS TO MANUFACTURED HOUSING

Watermain Extension Policy

Subject to the CBPU's specific approval for each such extension, watermains may be extended into areas not provided with watermains for the purpose of supplying fire protection and normal water service to the residents and property owners of such areas, provided that:

1. The water production, treatment and/or pumping facilities are ample and adequate to supply the additional quantity and quality of water, at pressures and rates of flow, that are anticipated as being required to properly supply the new area.

2. The transmission and distribution mains which will carry water to the new area are sufficient in size and capacity to do so without in any way deteriorating the water service to those presently connected and served by such mains.

3. Such watermain extensions will be made only in public streets and/or right of ways provided for public utilities and after acceptance by the CBPU, the water lines will become part of the public municipal system.

The CBPU may contract with sub-dividers to extend watermains in privately owned streets where such streets are for common use and/or may be destined at some future date to become public streets. However, all watermain construction must meet the specifications of the utility.

The sub-divider may also be required to pay the cost of CBPU inspection services or contracted inspection services in order to assure compliance with CBPU specifications.

It is the purpose of this section to prohibit the installation of watermains on privately owned properties with any part of the cost of such watermains being paid for by the Water Department. Extensions to supply fire protection service in factory yards, and to supply water service to properties built in off-street areas with private or semi-private entrance drives are included in this category.

4. This policy does not apply to watermain extensions to be made outside of the corporate limits of the City of Coldwater.

5. Except that the CBPU may especially contract otherwise, all watermains installed under this policy, even though cost of such installation may be borne in part or in total by others than the CBPU, shall be the property of the CBPU and shall be responsible for their operation, repair and maintenance throughout their life.

6. New residential subdivision developments may be charged the 8" watermain cost even though the CBPU may determine that larger mains are required for the hydraulic or other needs of the system.

7. The full cost of watermain extensions to other than new residential subdivisions shall be paid by the benefiting adjacent property unless the Utility Board of Directors determines that the increase in size is in the best interest of the Utility and its customers.

Watermain Installation Policy

Any contractor installing new watermain extensions to the Coldwater Board of Public Utilities' water system is prohibited from operating any gate valves, fire hydrants or other equipment. All requests for flushing of newly installed watermain, fire hydrants, fittings or related equipment must be requested at least three days in advance. Board employees shall perform all flushing of watermains and will coordinate work with contractor before such work will proceed. The Board reserves the right to restrict or reschedule the timing of this work due to other activities (i.e. hydrant flushing, freezing temperatures, etc.) occurring simultaneously.

The Board shall witness all pressure testing of newly installed watermain in accordance with American Water Works Standard C600-93. A copy of the successful test will be retained by the utility and a copy will be provided to the contractor if requested.

Monthly Charges for Flat Rate Water & Wastewater Service

	<u>Water</u>	<u>Wastewater</u>	<u>Total</u>
FLAT RATE RESIDENTIAL SERVICE	\$36.00	\$30.99	\$66.99

Availability:

Flat rate water and wastewater service is no longer available.

Unlisted Uses:

Rates for any use not listed herein will be specially computed or the entire service will be billed at metered rates.

Partial Period Billing:

Billing for flat rate water and wastewater service for partial months shall be calculated by prorating the amount on a daily basis.

Metered Water and Wastewater Rates
To Be Billed Monthly

Application:

It is the intent of the CBPU that water sold to all users be metered and billed at the following rates.

Multiple Use:

It is required that the water piping in buildings of multiple occupancy be so arranged that the water supplied to each user may be separately controlled and metered at a central point - usually in the basement, in accordance with Section 1040.03 of the Codified Ordinances.

In existing residential properties, where this has not been done, a single meter may be installed to serve the several users jointly, in which case the readiness-to-serve charge for Water and Wastewater service shall be based on the number of such users times the readiness-to-serve charge. Mobile home parks, recreational vehicle parks and non-profit multiple housing projects are exempt from the Multiple Use Rule.

Readiness-to-Serve Charge -Meter Size:

	<u>Water</u>	<u>Wastewater</u>	<u>Total</u>
5/8 inch meter	\$12.35	\$14.99	\$27.34
3/4 inch meter	16.00	20.99	36.99
1 inch meter	22.00	37.49	59.49
1-1/4 inch meter	31.75	52.43	84.18
1-1/2 inch meter	48.50	69.54	118.04
2 inch meter	88.50	101.88	190.38
3 inch meter	195.00	191.46	386.46
4 inch meter	335.00	349.09	684.09
6 inch meter	550.00	776.91	1,326.91
12 inch meter	N/A	3,338.28	3,338.28

Consumption Charge:

The first 1,000,000 gallons used per month per 1,000 gal.	2.18	1.72	3.90
For all in excess of 1,000,000 gal. per 1,000 gal.	1.75	1.72	3.47

Sprinkling Readiness-to-Serve Charge -Water Meter Size:

5/8 inch meter	\$ 3.50
3/4 inch meter	\$ 7.50
1 inch meter	\$10.50
1-1/2 inch meter	\$23.25
2 inch meter	\$44.00

Consumption Charge: \$ 1.85 per 1,000 gallons

A permit is required for the installation of all outdoor sprinkling systems and/or water wells.

Township Customers:

Township customers' rate is 150% of the established monthly City rate as referenced in the City of Coldwater/Township franchise agreements.

Fire Hydrant Water Meters:

Meter Size	Minimum Monthly Charge
3/4 inch meter	\$11.69
3 inch meter	\$85.96
Consumption Charge	\$1.99 per 1,000 gallons

Water Fill Station:

Water is available for filling tankers for construction, filling swimming pools, etc. at the water treatment plant. A \$10.00 charge will be assessed every time a tanker is filled, with a minimum charge of 1,000 gallons. The cost of the water is the same as the current metered consumption charge per 1,000 gallons. A deposit may be required at the time of filling. Water is available between the hours of 8:00 a.m. and 3:45 p.m. Monday through Friday. No tankers will be filled after 3:45 p.m. unless prior arrangements have been made.

Swimming Pools:

Pools will be filled during normal working hours. Cost is determined by the water used at published rates per 1,000 gallons plus \$120.00 for labor to fill the pool. Any pool filled after normal working hours is by special arrangement only and the labor cost will be \$180.00. The cost for pool filling will be invoiced to the service location utility bill.

Flushing or Lawn Sprinkling:

No credit will be issued for wastewater charges based on water consumed for lawn sprinkling or flushing from a fire hydrant which was registered by a meter utilized for billing combined water and wastewater consumption.

Dedicated Private Fire Protection Service Rate

Connections:

Owners or occupants of public or private, institutional, commercial and/or industrial properties who are regular customers of the Water Department may install and connect to the distribution system suitable pipes for the purpose of supplying water to private installations of fire hydrants and/or automatic fire protection sprinkler systems, for the protection of their property. No plastic or steel pipe will be allowed for underground water or fire protection systems.

All such installations shall require a permit and be in a manner acceptable to the CBPU and shall include a control valve located adjacent to the property line installed by the CBPU. Private fire protection services are required to extend from the public distribution system directly to the fire protection system with no intermediate connections for domestic use. No connections are allowed to any portion of a fire protection system to provide domestic water supply. All new water suppression lines will require a "detector check" to detect flow and must be wired to a remote reader.

The customer, at his own expense, shall furnish and install a Michigan DEQ approved reduced pressure backflow preventer on a dedicated or non-dedicated fire suppression line.

Installations involving not more than five conventional fire hydrants only, placed in the yards about the building, and which are so installed for the use and convenience of the Municipal Fire Department, not for use by the customer, may be made without a swing check valve, providing that nothing other than the fire hydrants are connected to the installation and all of these are so located that they may be readily inspected by the CBPU's representatives. No such installation shall have a supply pipe that is more than 8" internal diameter, or that is larger than the street main to which it is connected.

No service connection or cross connection of any sort shall be made to such fire protection installation for any purpose whatsoever.

Charges for Fire Suppression Line Flushing or Testing:

Charges for flushing fire suppression lines, testing fire booster pumps, etc., will be based on a pitot gauge reading.

The pitot gauge reading, in GPM, times the number of minutes the line is flushed or the pump is run, along with labor and equipment costs will be charged to the owner, contractor or fire sprinkler contractor.

CBPU personnel will take the pitot gauge reading. The CBPU will also provide documentation of calculated usage if requested.

Non-Dedicated Fire Protection Lines

Domestic/industrial service lines may be used for limited fire suppression systems when no more than 6 sprinkler heads will be connected.

When a domestic/industrial service line is used, the supply line for a fire protection sprinkler service shall be taken off the supply side of the water/wastewater meter. This line shall be provided with an approved gate valve for isolation purposes. The operation of this valve shall be the responsibility of the property owner.

Prior to connection of any limited area fire suppression system to any domestic/industrial service line, a permit shall be obtained from the CBPU. Permit approval shall be based on a usage/supply profile being approved by the CBPU and system plan approval by the City Building Department and CBPU Cross Connection Inspector.

The customer, at his own expense, must furnish and install a Michigan DEQ approved reduced pressure backflow preventer on a dedicated or non-dedicated fire suppression line.

The customer will provide and install before final inspection, labeling to be placed on the fire line with the wording "Fire Line - No Domestic Usage."

Rate:

The following monthly charge shall be made for all such sprinkler service installations. Service cost is determined by pipe size where it enters the building foundation.

For each 1/2" - 2-1/2" connection-----	\$ 3.40 per month
For each 4" connection-----	\$12.80 per month
For each 6" connection-----	\$28.75 per month
For each 8" connection-----	\$51.25 per month
For each 10" connection-----	\$79.50 per month
For each 12" connection-----	\$115.00 per month
Customer owned fire hydrants-----	\$16.30 per month

The above rates include the use of all water needed to fight fires, to drain and refill the system for testing purposes, and to care for normal non-preventable leakage that may accrue to the system.

CBPU Liability:

The Coldwater Board of Public Utilities assumes no liability for damages resulting from the turn off of any fire protection service for non-payment, repair or unauthorized use.

Fire Hydrants and Municipal Service Rate

	<u>Monthly Rate</u>
1. Fire Hydrants: Monthly charges per hydrant	\$ 16.30
2. Municipal Building Use: Coldwater Municipal Building, Public Safety Building, Municipal Services Dept., and other buildings of the General City Government that are supplied water and wastewater will be billed at the regular schedules for metered service as are other users of these services.	
3. Municipal Use (non-BOD): Municipal wastewater use for environmental remediation purposes where the disposal of virtually clean groundwater is required.	
Monthly Rate:	
Minimum Charge:	None
Consumption Charge:	
For all metered usage per 1,000 gal.	\$.60

Sewer Taps and Building Sewers

General:

Historically, the sanitary sewers in the City of Coldwater were generally constructed by the City of Coldwater and turned over to the CBPU for operation and maintenance. Therefore, original construction quality, records and/or locations of sewers are in no way related to the judgments of the CBPU. THE CBPU ASSUMES NO LIABILITY FOR THE SAME.

Installing Sewer Taps:

Sewer tap connection and inspection permits may be obtained by the property owner and placed in the hands of a licensed master plumber, by an owner acting under State/County Permit as his own plumber, or by a licensed master plumber acting as agent for a property owner, upon payment of the proper fee.

Such information that the CBPU may have relative to sewer tap locations, lateral locations, sewer sizes and grades, are available to the public; however, the CBPU WILL ASSUME NO LIABILITY for the accuracy of such information.

Inspection Fees:

In addition to all regular and special assessments levied for sewer construction purposes, an inspection fee of \$35.00 shall be paid by every person making application for a new sewer tapping permit, this fee to cover the expense incurred by the CBPU in making the necessary inspection of the connection to the wye, stub lateral, manhole or main. All sewer inspection permits must be obtained prior to excavation or installation.

A similar fee shall be paid for similar inspections of sewers being rebuilt or relaid, involving reconnection to the City provided lateral, wye or manhole.

The applicant shall notify the CBPU immediately after connection when the sewer is ready for inspection. Failure to have the sewer inspected is a violation of Chapter 1042 of the Codified Ordinances and subjects the applicant to civil penalties and fines. Such violation will require the applicant to re-excavate the site of the connection for inspection and may result in additional inspection charges.

Connection Fees:

Properties which are not located within the limits of a special sewer assessment district and which have never been assessed for or otherwise provided with a sewer connection, may, by prepayment to the City Clerk of the sum that the City Council may set, be permitted such benefit providing that all expenses of construction of such connection be borne by the owner of that property. All of the details of such construction and connection shall be subject to the approval of the CBPU.

Sewer Taps and Building Sewers

Stubbing Laterals:

In connection with the construction of new sewers and with old sewers, prior to the paving or repaving of any street, the City Engineer or the CBPU, at their option, may extend such sewer taps or laterals that in their judgment appear necessary, from the main sewer to the curb. The entire cost of such work to be charged to the owner of the benefiting property, and the charges to be collected by special assessment in the event they remain unpaid for one year following their installation.

The CBPU shall in no way be held liable for failure to extend any sewer tap or lateral as outlined above.

Inspection of Sewer Connections:

In addition to assisting the property owner or his agent in planning the layout of each proposed new sewer connection the work will be given field inspections.

The inspection will be made at the time the connection is made with the wye connection, riser or lateral at the street sewer.

The owner or licensed master plumber named in the tapping permit shall notify the CBPU of the readiness of the work for inspection and the CBPU will within 24 hours, exclusive of Saturdays, Sundays and holidays, make such inspection as required.

The CBPU may, from time to time, make such other inspections of the work as are deemed necessary and upon disapproval of any part of the work by the inspector all work on the sewer shall be stopped until proper correction has been made and its approval obtained.

Point of Connection - Locating Wye:

Connections shall be made to the street sewer only at a wye or lateral which has been provided for the purpose. In the event that no such point of connection has been provided, that the connection cannot be found, or is found to be inaccessible, special permission may be issued by the CBPU to tap the main sewer with a new connection, the work of making such tap to be performed to the satisfaction of the CBPU's inspector.

In attempting to locate a wye or lateral connection an excavation shall be made at the point where the records indicate that a connection may be found, such excavation to extend not less than five feet in a dimension parallel to the main sewer and to a depth ample for the purpose. No part of the house sewer trench shall be excavated until the wye or lateral is found or it has been definitely established that it cannot be found.

Notice of Excavation:

A twenty-four hour notice must be given to the CBPU prior to excavating or tapping a interceptor main trunk sewer.

Sewer Taps and Building Sewers

Tapping a Vertical Riser:

Where it becomes necessary to tap a standing or vertical riser connecting with a deep sewer the following method of construction shall be employed:

The stopper shall first be removed and the riser carefully inspected by means of a light lowered through its entire length. If found defective the CBPU will repair or replace the riser before further work is performed.

On the top of the riser, with its branch turned to properly face the run of the house sewer, there shall be placed a wye-branch with one opening looking up. Vertically from this top opening there shall be installed a clean-out stack, the top of which, properly stoppered, shall be brought to the surface of the roadway.

It shall be the responsibility of the homeowner or contractor to construct the riser connection; however, the CBPU will provide the riser casting and cover. Maintenance of the riser will become the CBPU's responsibility after construction which will include normal repairs, root cutting and cleaning.

Construction of Sewers:

Building sewers shall be constructed of socket type premium joint vitrified clay tile, approved cast iron soil pipe, or S-40 PVC or PVC ASTM D3034 (SDR35) approved plastic pipe. The CBPU will consider other plastic pipe specifications on an individual basis. All installations shall be sized and constructed to meet the Plumbing Code and the CBPU's Rules and Regulations.

For all new construction, each individual dwelling/business shall have its own independent sewer lateral constructed from its own sewer wye connection at the main sewer.

The building sewer shall begin at the main sewer in the street, or at the end of the stubbed lateral provided for the purpose, and extend as near as possible in a straight line from that point to the point of connection with a clean-out opening just within the wall from which point the building sewer may be effectively rodded and cleaned for its entire length. The CBPU also encourages the installation of a clean-out just outside a building wall or foundation. Any pipe bends greater than 45 degrees shall require installation of a clean-out extended to the finished grade and easily accessible for maintenance purposes.

It is the owner's responsibility to insure the integrity of the existing lateral before connection is made.

The building sewer shall be carefully laid in a compacted bed of select material and shall be brought to grade by tamping under the pipes as they are laid, not less than three joints of pipe being left exposed continually as the work progresses for purposes of inspection and checking of grade, such exposed piping to be fully protected from injury and disturbance if the work is to be left unattended for any length of time. The interior of the pipe and the inside of the pipe joints shall be carefully cleaned as the work progresses and the opening in the pipe shall be kept continually closed with a stopper.

Sewer Taps and Building Sewers

Cast Iron:

Sewers constructed of cast iron shall meet all of the requirements of the Plumbing Code.

Plastics:

Sewers constructed of plastic must be S-40 PVC or PVC ASTM D3034 (SDR35) and comply with commercial standard to meet all requirements of the Plumbing Code. The CBPU will consider other plastic pipe specifications on an individual basis.

Concrete Work:

Concrete for encasement and support of sewer pipes shall meet the requirements of the Plumbing Code and CBPU approval.

Septic and Non-Septic Waste Disposal:

Septic and non-septic wastes that comply with the CBPU's septage receiving plan may be accepted for disposal at the wastewater treatment plant at the following rate. A deposit may be required at the time of dumping.

Septic and non-septic waste - \$.0901 per gallon

Trucked Waste:

The CBPU may accept trucked waste at its wastewater treatment plant, providing the material is compatible with the removal processes at the wastewater treatment plant. Prior approval and arrangements must be made before acceptance of any trucked material.

Charges for receiving and processing the waste material will be based on the current wastewater rates, strength and amount of material delivered. The CBPU reserves the right to require sample testing of the material.

Preventative Maintenance:

The CBPU may enter into an agreement with commercial, institutional, industrial or governmental customers to establish a preventative maintenance agreement and payment procedure for regularly scheduled maintenance/cleaning of sewer and storm water lines.

Sewer RegulationsSeparation of Sewers:

No roof water, surface drainage or storm water drainage from any point shall be admitted to or connected with any sanitary sewer. No sanitary sewer waste shall be admitted to or connected with any storm water sewer. The two systems must be kept entirely separate.

Prohibited Connection:

No sewer connection shall be made to any septic tank, privy vault, outhouse, cesspool, or to any source of prohibited waste, or directly with any part of the city water supply system.

Openings Below Ground Level:

Except as specified below no sewer openings or connections shall be installed below the overflow or relief point of any street sewer.

By special permission, closets, urinals, floor drains, laundry tubs, sinks and such other sewer connections as the CBPU may deem permissible may be installed below the overflow or relief point of any street sewer when each such connection is equipped with an approved readily accessible back-water valve, properly installed and properly maintained, so as to prevent the backing up of sewage in the event of stoppage, or that the fixtures be drained to an approved sewage sump which is equipped with proper venting and automatic sewage removal facilities.

Stoppage of House Sewers:

Removal of stoppages and repairs to house sewers is the responsibility of the property owners. In the event that trouble is found in the wye connection at the street sewer, or in vertical risers extending therefrom, the property owner shall establish that fact to the satisfaction of the CBPU who shall then cause proper repairs to be made at the expense of the CBPU.

The CBPU shall not be held liable for any expense incurred by the property owner in repairing or removing stoppages in house sewers or for any expense incurred by him in satisfying the CBPU that such damage or stoppage lies within that portion of the sewer system maintained by the CBPU.

The CBPU is not responsible for plumber/sewer cleaning contractor's expense incurred by property owner/renter for sewer backup on main sewer if the CBPU is not contacted prior to plumber/contractor being called.

Plumber/contractors are required to contact the CBPU whenever a customer's sanitary sewer lateral is being replaced within two feet of the mainline sanitary sewer. The CBPU will then have a representative present until all work within the concerned area is completed satisfactorily.

Grease Traps:

To insure protection of the municipal sewer system, commercial and/or institutional restaurants and food service customers may be required to install a grease trap.

Use of Sewers:

Refer to Chapter 1042 of the Codified Ordinances.

TELECOMMUNICATIONS SERVICES

RULES AND REGULATIONS FOR CABLE TELEVISION SERVICE

Security Deposit:

A security deposit may be required from a customer by the CBPU at the time formal application is submitted for service and may be an amount equal to the replacement cost of related equipment. Any equipment or service security deposit paid to CBPU by the customer shall be retained by CBPU until termination of service and shall not bear interest payable to the customer.

Fees and Charges:

Upon acceptance by CBPU of the customer's application for CATV service, the customer shall pay to CBPU the applicable monthly service fee, all security deposits, any equipment lease fees or purchase costs, installation fees, connection fees, and any other fees or charges due CBPU. Any service, lease maintenance, purchase, installation, security deposits and other charges for which the customer is obligated shall be payable in advance.

Right of Access:

The customer, upon acceptance of application for CATV service by CBPU, grants permission for CBPU, its agents, servants and employees, to enter upon the property of the customer for the purpose of installation, inspection, maintenance, testing and repair of the cable service to the customer's premises, and upon service being cancelled for any reason, the customer grants permission for CBPU to enter upon the premises and remove all equipment and material belonging to CBPU and to discontinue service thereto.

Ownership of Equipment and Materials:

All equipment and materials furnished by the CBPU, unless purchased by the customer, shall remain the property of the CBPU.

Warranties and Repairs:

Any equipment or service rendered to the customer is subject to no warranties from CBPU, either expressed or implied. Customer agrees to pay CBPU for any repairs to its equipment and facilities at CBPU's applicable rates.

Wiring Requirements:

No wiring will be installed by CBPU within any wall or attic space. The customer at his option, may choose to install the wiring furnished by CBPU within walls and/or attic spaces at his own expense; but in such instance, the customer shall install such wiring to specifications and satisfaction of CBPU and the National Electric Code.

Responsibility for CBPU's Property:

The customer agrees not to tamper with any of CBPU's wiring or equipment, to extend lines, or alter in any manner any CBPU property. The customer also shall receive CBPU's CATV service with the understanding that he will adequately safeguard all CBPU properties upon the customer's premises from alteration and abuse by others, and that he will not hire or permit anyone other than authorized CBPU personnel to perform any work on CBPU property, equipment and facilities.

Limitation of CBPU's Liability:

The CBPU, its agents, servants, or employees, shall not be held liable or responsible for any damage or injury to the property of the customer occurring during installation or maintenance of facilities including, but not limited to, outlet, cable, connector, converters, etc., to provide and/or maintain service to customer.

Provision of Service:

CBPU shall make every reasonable effort to provide CATV service to every customer who applies for such service in the shortest period of time practicable, and where CATV service is readily available. CBPU's CATV services will only be extended into areas where CBPU is duly authorized.

Installation of Services:

Service will be provided by the CBPU using the customer requested date whenever possible. The CBPU needs a minimum of five working days from the application date. If the customer requested date cannot be met, the customer and the CBPU will jointly negotiate a date acceptable to both parties.

Negotiated Date:

A negotiated date may be necessary for a number of reasons, which would include, but not be limited to:

- a) no existing service at one or both premises. (This may require construction and could include additional charges.)
- b) necessary electronics are not available and have to be engineered and/or ordered separately.

Construction Charges:

Construction of facilities over 150' will be accessed on an individual case basis. (Facilities 150' or less will normally be constructed at no charge unless abnormal conditions apply.)

Charges for special construction will be based, in part, on the costs incurred by the CBPU and may include:

- a) costs incurred by the CBPU for contracted services;
- b) engineering charges;
- c) special construction permits; and
- d) items of a like nature.

Underground Service:

CBPU's rates for CATV service are based upon costs to provide overhead service to its various classifications of customers. Therefore, underground services and extensions from CBPU's overhead system may be made pursuant to receipt of advance payment of charges associated therewith, and as determined by the schedule of fees and charges applicable to underground installation, as established from time to time.

Location of Overhead:

Unusual circumstances to the contrary, CBPU's overhead CATV service drop to customer premises shall be located as closely to the point of electrical service attachment as is safe and practicable.

Monthly Service Charges:

Monthly service charges shall be determined as per the schedule of rates applicable to the services for which the customer has applied and received, and is subject to change without formal notice by CBPU to the customer.

Expanded Basic Service:

An existing basic service customer can elect to receive expanded basic service by submitting his application for such service, but in no instance will any customer be permitted to receive expanded basic service without basic service. An existing basic customer who elects to receive expanded basic service will be charged for the service monthly.

Expanded basic and premium service programming cannot be provided to customers who shall charge any fee for its viewing, or in public places for viewing by mass audience, except as provided by payment of a Hospitality Charge.

Pay-per-View:

The customer may also elect to receive pay-per-view events and/or movies from time to time; however, in no instance will a customer be permitted to receive this service if an amount is shown to be past due on the customer's account. In addition, no refund for any pay-per-view event/movie will be granted after the initial ten (10) minutes of the event/movie has been received by customer.

Penalties for Unauthorized Service:

CBPU has sophisticated monitoring equipment that allows detection of illegal reception of cable TV signals. This illegal cable reception often causes signal quality problems for paying customers. To minimize potential problems, we regularly audit our system to detect such reception. If unauthorized service is discovered by CBPU, the cost will be billed to the customer for an estimate of CATV services delivered, including the cost of inspection, investigation, reconnection and cost of repair to CBPU facilities, all of which must be paid in full before service can be reestablished or restored.

Reproduction of Programming:

The customer shall not record or tape any of the programming provided by CBPU, nor shall the customer allow any other person to do so, except for the personal use of the customer.

Disclaimer Regarding Programming Content or Changes:

The customer shall not hold CBPU responsible nor liable for programming content, nor for any changes, additions, or deletions in its programming or time schedule associated therewith. CBPU can assist you with the restriction of the viewing of a particular cable service on your TV during periods you select. Upon your request, CBPU can block you from receiving both the audio and video on a channel on which programming is provided on a per program or pay-per-view basis. Occasionally we are required by law to prevent showing certain programs. The "blackouts" can affect sporting events, as well as other programs. Blackouts are imposed for two general reasons: to protect; a) the local team's ability to attract a live audience, and b) television rights revenue by preventing duplication of any event by multiple carriers. In each case, there is one network that is designated as the exclusive carrier of an event or a specific sports team. The exclusive network has arranged for this privilege at its own expense. FCC regulations require us to blackout all other carriers of these events.

Digital Services:

An existing expanded basic service customer can elect to receive digital service by submitting his application for such service, but in no instance will any customer be permitted to receive digital service without expanded basic service. An existing expanded basic customer who elects to receive digital service will be charged for the service monthly. Electronic communication must be maintained with the digital converter.

Digital service programming cannot be provided to any customer who shall charge any fee for its viewing, or in public places for viewing by mass audience, except as provided by payment of a Hospitality Charge.

Minimum Period of Service:

The minimum period for which service will be provided is one month and the customer will be billed for the entire month even if a request to cancel service is received before the month is over.

The following changes will be counted as a discontinuance of existing service and require a request for installation of a new service. All associated installation charges will apply for the new service, and a new minimum period will be established.

- a) A change in the identity of the customer of record;
 - b) a move by the customer to a different building;
 - c) a change in the type of service;
 - d) a change in the type of DATA ACCESS channel termination; and
- (d) a change from two-point to multi-point DATA ACCESS service.

Interruption or Discontinuance of Service Due to Use of Non-CBPU Facilities:

In order to provide service, CBPU shall occasionally make use of poles owned in whole or in part by other utilities, both power and telephone, the continued use of which is no way guaranteed. In the event the continued use of such poles is denied for any reason, CBPU will make every reasonable effort to provide service over alternate routes and facilities. The customer agrees that he will make no claims or undertake any action against any utility, including CBPU, if the service provided to the customer is interrupted or discontinued for this reason.

Outages and Interruptions:

CBPU shall make every reasonable effort to promptly restore CATV service to its customers in the event of any outage or interruption. CBPU shall also make every reasonable effort to investigate customer reports of poor CATV reception, etc., and to remedy same when found to be the fault of CBPU's system and/or equipment.

In the event CBPU dispatches any of its personnel to investigate any customer complaint or outage, and the problem is determined to be caused by the customer's television receiver or other customer-owned facilities, the customer may be charged the cost of time and transportation, but in no event shall said charge be less than ten dollars (\$10.00).

Equipment Return:

Whenever service is terminated, the customer shall return any utility supplied equipment, such as converter or cable modem, to CBPU's office. If the returned equipment is found to be in satisfactory working condition and customer has paid all service charges and any other applicable fees or charges, customer shall be entitled to the original amount of the deposit for the equipment, without interest or earnings. If the returned equipment is not found to be in satisfactory working condition, or if said equipment has been opened, tampered with, defaced or damaged (normal wear and tear excepted) said equipment deposit shall not be returned to the customer, but shall be retained by the CBPU and applied toward the cost of its repair or replacement. The customer shall be invoiced for any repair or replacement costs that exceed the amount of the equipment deposit.

The customer understands, notwithstanding any other provision contained in these rules and regulations to the contrary, that any equipment provided is and shall remain the property of CBPU and must be returned to CBPU at any time service is terminated or discontinued. Failure to return utility equipment after service is terminated or discontinued shall result in a charge being assessed to customer's account. The customer shall pay to cover the cost of any utility equipment not returned, as well as any other expense incurred by CBPU resulting from customer's failure to return same. Willful failure to return any utility equipment is also a crime punishable by law.

Change of Occupancy or Ownership:

The customer shall notify CBPU of any change of occupancy or ownership of customer's premises promptly upon its occurrence. Nothing in these rules and regulations shall be construed to give the customer the right to sell or assign, or the successor tenant or occupant to acquire, any rights to use any of the equipment or service provided by CBPU.

Severable Provisions:

In the event any portion of these rules and regulations should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining portions hereof, which shall continue effective.

Approval of Equipment:

The CBPU reserves the right to approve or disapprove for use in connection with the municipal utility system, any wiring, equipment, appliances, fixtures, motors or any other devices that are presently in use or that are offered for use in connection therewith. Should any of the same be disapproved, their use shall be disconnected at once, either permanently, or until corrective measures have been taken. Failure to comply with orders to discontinue the use of or to apply corrective measures to disapproved equipment shall be deemed just cause for the discontinuance of all service until compliance is completed.

Cable Television Customer Privacy Rights Notice:

The Federal Cable Communications Policy Act of 1984 contains certain provisions regarding the collection and maintenance of personally identifiable information by cable television operators. In accordance with those provisions, our cable system collects and maintains personally identifiable information concerning customers.

Unless otherwise noted, all personally identifiable information is used solely for the normal business purpose of offering and rendering cable television service to you. Some persons have access to such information when necessary in connection with our business. Access is as often as necessary and may be on a day-to-day basis. Those people include cable system employees, cable system sales agents, businesses which provide services to the cable system, such as our accountants, billing and collection services, program and program guide providers where applicable, and program services which will periodically audit subscription information. The cable system will not maintain such information after it is no longer necessary for carrying on our business.

As a customer, you may review any personal information held by us that pertains to you. If you wish to review your personal information, please contact us by letter or telephone to arrange for a review. The review will be at our local business office. You may request correction of any error in personal information that we collect or maintain pertaining to you.

Federal law prohibits the cable system from collecting any personally identifiable information other than information necessary to carry on our business or to detect theft or services unless you consent. To the extent that we are permitted to collect personally identifiable information, we are permitted to disclose such information only to conduct our business. In addition, the law allows us to disclose your name and address for non-cable service related mailing lists or other purposes unless you tell us you do not wish to disclose it. However, such disclosure of names and addresses may not be in a nature of any transaction you make over the cable system. If you do not wish to have your name and address disclosed even in this limited manner, or if you wish to limit the circumstances in which we will disclose it, please fill out, and return a "Nondisclosure of Name and Address Form" from our local business office.

Except as indicated in the preceding paragraph, we may not disclose personally identifiable information without your consent, unless we are required to do so by court order. If we are served with a court order requiring disclosure of personally identifiable information concerning a customer, we will inform the customer before any information is released. Under some circumstances, a governmental entity may seek a court order to obtain personally identifiable information from the cable system concerning a cable customer. The customer must be given an opportunity to consent to issuance of such an order.

Any person aggrieved by an act of a cable operator in violation of these federal limitations on the collection and disclosure of personally identifiable information, may bring civil action in a United States District Court to enforce the limitations.

Equipment Compatibility Notification:

One of the reasons you subscribed to CBPU is that we offer many more channels of programming than you are able to receive off the air. Some customers may have TV receivers and VCR's that can tune to all the channels we provide. Other customers may have TV sets that do not tune to all the cable channels. In this case, CBPU will provide a set-top converter, or you may also choose to buy a converter at a retail outlet.

Even if you have a TV or VCR that was advertised as being able to receive all cable channels, some of you may still need a converter. This is because there have been no standards governing the reception of cable channels and so your television or VCR, however it may have been advertised, may not tune to all the channels we provide. According to government rules, by October 31, 1994, TVs and VCRs sold in the U.S. cannot be called "cable ready" unless they comply with new requirements, including the ability to properly tune all cable channels without some interference.

The set-top converter will "convert" the cable channels to channel 2, 3, or 4 on your TV. Please understand that the process of converting all of our channels to one channel means that you can only receive one channel at a time through the converter. This means that there may be certain features on your TV and VCR that depend on channel tuning of these devices that you will not be able to use. For instance, taping one program while watching another, recording two or more consecutive programs that appear on different channels, and the use of picture-in-picture may not be possible without additional equipment.

Should you wish to use some of the features noted above, CBPU will assist you with necessary supplemental equipment. This equipment might include an additional converter, or if you have a receiver that can tune all our cable channels, a switch that will enable you to bypass the converter and tune all unscrambled channels with your TV or VCR. Please contact us regarding your wishes and we will be happy to give you a schedule of charges for such equipment. In addition, you may purchase bypass switches and additional converters at retail outlets. Please remember, however, that converters with unscrambling capability can only be obtained from CBPU. In fact, should you see advertisements for cable converters that have unscrambling in them (so called "pirate boxes" or "black boxes") you should understand that these devices are illegal to sell or to use, unless authorized by your cable company. Because of the need to protect our scrambled services, CBPU will not authorize the use of any converter/descrambler not provided by the system.

CATV RATES

Basic Service	\$12.65 per month
Bulk Rates	
Senior Citizen/Assisted Living	\$ 3.85 per month
Motels, Health Care Facilities and Hospitals	ICB*
Apartment Complexes (8 units or more)	\$ 7.15 per month
Senior Citizens 65 years of age or older	\$12.10 per month
Expanded Basic Service	\$20.90 per month
Bulk Rates	
Senior Citizen/Assisted Living	\$ 6.05 per month
Motels, Health Care Facilities and Hospitals	ICB*
Apartment Complexes (8 units or more)	\$ 9.35 per month
Senior Citizens 65 years of age or older	\$19.60 per month
Digital Service (Guide, PPV, Music Only)	\$ 7.95 per month
Digital Basic Service	\$14.95 per month
Additional Digital Receiver with Remote Control	\$ 5.95 per month
Digital receiver equipped to process High Definition signals	\$ 10.95 per month
Digital video receiver equipped to process High Definition signals and equipped with dual tuners	\$12.95 per month
Additional digital receiver equipped to process High Definition Signals	\$ 6.95 per month
HBO Digital - includes 6 channels	\$16.95 per month
Cinemax Digital - includes 4 channels	\$14.95 per month
Showtime Digital - includes 11 channels	\$14.95 per month
Starz! Digital - includes 12 channels	\$14.95 per month
Pay-Per-View	Price varies by event or movie
Commercial Leased Access (Channel 22)**	
Programming for which a per-event or per-channel charge is made	\$110.00 per event/channel
Programming more than 50% of the capacity of which is used to sell products directly to customers	\$330.00 per month
All other programming	\$150.00 per month

CATV RATES Continued

Installation (one new install [TV] or one reconnect of previously wired home)	\$25.00 per visit
Fishing Wall	\$50.00 each
Additional Outlet Installation	\$25.00
Monthly Charge	\$ 0.00
Hospitality Charge***	charge varies by programmer
Vacation Service****	\$ 0.00
Service Calls	\$10.00 minimum may be charged if determined the problem was caused by customer's facilities.

* ICB - Individual case basis dependent on number of rooms served and service desired.

**One hour minimum programming.

***Hospitality Charge - This charge is treated as a pass through charge by our programmers and generally applies to bars, restaurants, clubs, etc.

****Vacation Service - Not available for periods of less than ninety consecutive days.

RULES AND REGULATIONS FOR DIAL UP INTERNET AND CABLE MODEM SERVICESService Provided:

CBPU will furnish and install facilities necessary to provide local area network communications and access to the Internet, through its interactive cable system, to a personal computer or network of computers of customer equipped with a broadband network interface device. The CBPU assumes no responsibility for installation or assistance with regard to any software currently owned by customer or purchased by customer after installation. Additionally, service may be temporarily refused, limited, interrupted, or curtailed due to government, regulations or orders, system capacity limitations, limitations imposed by an underlying communications carrier, or because equipment modifications, upgrades, repairs or reallocations or other similar activities necessary or proper for the operation or improvement of CBPU' system. Service and equipment are furnished for use by customer for any lawful purpose.

Installation and Access:

No cable modem provided by the CBPU will be installed without a surge protector (provided by the customer). In the event a CBPU cable modem is damaged by lightning, stray voltage, voltage fluctuations or any other type of electrical defect, the customer will be billed for the repair or replacement of the modem.

The initial routing of the cables on customer's premises necessary for the provision of cable modem service shall be in a location agreed to between the CBPU and customer. Any relocation of the cabling or facilities solely for the convenience or at the request of customer shall be paid for by customer.

The customer agrees to furnish necessary right of way upon its premises for the installation of any facilities that may be required to provide cable modem service to customer and to confer upon the CBPU the right to enter upon the premises, for the purpose of installation, maintenance and repair of said facilities and equipment, and that upon termination of the agreement, to permit CBPU to enter the premises for the purpose of removing any additional facilities or lines that may have been required for the original installation.

Termination:

Services to customer may be discontinued at any time by CBPU upon failure of customer to pay any charges due for these services, or, immediately, whenever, in the sole discretion and determination of CBPU, such discontinuance is in the best interest of other CBPU customers, such as (but not by way of limitation) interference with the system of CBPU caused by the condition or operation of customer's facilities or system.

Upon termination of services hereunder, for whatever reason, and by whomever, customer shall promptly deliver back to CBPU any property leased or rented by it from CBPU.

Limitation of CBPU's Liability:

- (e) Customer understands that alternative and competing Internet communications carriers are available to customer; occasional interruption or irregularities in the service may occur; any potential harm from interruptions or irregularities in the service is speculative in nature; CBPU cannot offer the service at rates which reflect its value to each customer; and CBPU assumes no responsibility other than that contained in these rules and regulations. Accordingly, customer agrees that except as limited by law, CBPU's sole liability for loss or damage arising out of mistakes, omissions, interruptions, delays, errors, or defects in the service or transmission of service provided by CBPU or any underlying communications carrier, or for losses or damages arising out of the failure of CBPU or any underlying communications carrier to maintain proper standards of maintenance and operations shall be as follows:
- (1) A credit allowance as described in subsection (a)(3) below, will be made at customer's request in the form of a pro-rata adjustment of the fixed monthly charges billed to customer. Fixed monthly charges are the monthly charges for access and optional features per access account ID, all as described in the schedule of rates and charges in effect at the time of interruption.
 - (2) Such credit allowance will be based upon the period of time which such mistakes, omissions, delays, errors or defects in the service or its transmission caused interruptions in the rendering of the service. Any such period of time an interruption occurs will be measured from the time it is reported to CBPU. In the event customer is affected by such interruption for a period of less than 24 hours, no such adjustment shall be made. When an interruption exceeds 24 hours, the length of the interruption will be measured in 24 hour days. A fraction of a day consisting of less than 12 hours will not be credited, but a period of 12 hours or more will be considered an additional day.
 - (3) The credit allowance will be computed by dividing the length of the service interruption by a standard 30 day month and then multiplying the result by CBPU's fixed monthly charges for each interrupted access account ID. In no case will the credit exceed the fixed monthly charges.
 - (4) A credit allowance will not be given for mistakes, omissions, interruptions, delays, errors or defects, or curtailments in the service caused by the negligence or willful act of customers, subscribers, or other parties, or mistakes, omission, interruptions, delays, errors, or defects caused by failure of equipment or service not provided by CBPU.

Limitation of CBPU's Liability - continued

- (5) The service furnished by CBPU, in addition to the limitations set forth preceding, is also subject to the following limitations: The liability of CBPU for loss or damages arising out of mistakes, omissions, interruptions, delays, errors, or defects in the service, its transmission or failures or defects in facilities of the underlying communications carrier, occurring in the course of furnishing service and not caused by the negligence of the authorized user, or the underlying communications carrier in failing to maintain proper standards of maintenance and operation and to exercise reasonable supervision, shall in no event exceed an amount equivalent to the proportionate fixed monthly charge to the authorized user for service during the period of time in which such mistakes, omissions, interruptions, delays, errors, or defects in service, its transmission, or failures or defects in facilities furnished by CBPU or the underlying communications carrier occurred.

(b) CBPU shall in no event be liable for service or equipment interruptions or delays in transmission, errors or defects in service or equipment, when caused by Acts of God, fire, war, riots, government authorities, default of supplier, or other causes beyond CBPU's or any underlying communications carrier's control.

© Customer acknowledges that Internet systems use public access facilities to transmit voice and data communications and that the service may not be completely private. CBPU is not liable to customer for any claims, loss, damages or cost which may result from lack of privacy on the system.

(d) Customer acknowledges that Internet systems may carry material which may be considered abusive, profane or sexually offensive and that CBPU is not liable to customer for any claims, loss, damages or cost which may result from such material.

(e) Customer hereby agrees to indemnify and save CBPU harmless against claims for libel, slander, or infringement or copyright from the material in any form over its facilities by customer or those using customer's equipment; against claims for infringement of patents arising from combining or using apparatus or systems of customer with the facilities of CBPU or any communications carrier; and against all other claims arising out of any act or omission of customer in connection with the facilities or service provided by CBPU.

Disclaimer of Warranties and Limitation of Remedies:

Customer acknowledges and agrees that CBPU is not the manufacturer of equipment and Internet package software, and CBPU hereby disclaims all representations and warranties, direct or indirect, express or implied, written or oral, in connection with the equipment or service or Internet package software (whether purchased or leased by customer from CBPU or another), including but not limited to any and all express and implied warranties of suitability, durability, merchantability, and fitness for a particular purpose. CBPU, to the extent permitted by law, assigns to customer any and all manufacturers' warranties relating to equipment or Internet package software purchased by customer, and customer acknowledges receipt of any and all such manufacturers' warranties.

Disclaimer of Warranties and Limitation of Remedies: (continued)

Customer acknowledges and agrees that its sole and exclusive remedy in connection with any defects in the equipment or software, including manufacture or design, shall be against the manufacturer of the equipment or software under the manufacturer's warranties and that CBPU shall have no liability to customer in any event for any loss, damage, injury, or expense of any kind or nature related directly or indirectly to any equipment or software or service provided hereunder. Without limiting the above, CBPU shall have no liability or obligation to customer, in either contract or tort, for special, incidental, or consequential damages of any kind incurred by customer, such as, but not limited to, claims or damages for personal injury, wrongful death, loss of use, loss of anticipated profits, or other incidental or consequential damages or economic losses of any kind incurred by customer directly or indirectly resulting from or related to any equipment or service or software described hereunder, whether or not caused by company's negligence, to the full extent same may be disclaimed by law. Any references to equipment or software in this paragraph shall be deemed to apply to all equipment or software purchased by customer or leased by customer from CBPU or another Lessor.

Indemnification and Release:

Customer agrees to release, defend, indemnify and hold harmless CBPU, its officers, Board members, and employees, to the full extent permitted by law from and against any and all claims, damages, liabilities and expenses, including legal and attorney fees, of any nature arising directly or indirectly out of these Rules and Regulations, including, without limitation, claims for personal injury or wrongful death to customer or users of the equipment, products or services provided by CBPU or sued in conjunction with such equipment, products or services provided by CBPU and arising out of the manufacture, purchase, operation, condition, maintenance, installation, return or use of the equipment or service, or arising by operation of law, whether the claim is based in whole or in part on negligent acts or omissions of CBPU, its Board Members, agents or employees.

Operating Rules:

Customer agrees not to publish on or over the Internet content which violates or infringes upon the rights of any other. If CBPU is challenged by any third party regarding the suitability of customer's content, CBPU may at CBPU's sole discretion delete customer's content from the Internet service. Customer agrees not to send unsolicited electronic mail to CBPU's customers or subscribers without CBPU's explicit written permission for each instance of communication.

Fees and Charges:

The customer shall pay CBPU the full monthly service charge applicable to the service rendered, which amount shall be due as shown on the bill from CBPU each month.

Monthly service charges shall be determined as per the schedule of rates applicable to the services for which the customer has applied and received, and is subject to change without formal notice by CBPU to the customer.

Severable Provisions:

If any part of these Rules and Regulations are contrary to or prohibited by or deemed invalid under applicable laws and regulations of any applicable jurisdiction, the remaining provisions and parts thereof shall remain and be construed in full force and effect to the extent permitted by law.

Approval of Equipment:

The CBPU reserves the right to approve or disapprove for use in connection with the municipal utility system, any wiring, equipment, appliances, fixtures, motors or any other devices that are presently in use or that are offered for use in connection therewith. Should any of the same be disapproved, their use shall be disconnected at once, either permanently, or until corrective measures have been taken. Failure to comply with orders to discontinue the use of or to apply corrective measures to disapproved equipment shall be deemed just cause for the discontinuance of all service until compliance is completed.

CABLE MODEM ACCESS RATESResidential - Standard

Installation: No charge with any CBPU cablevision service.
 \$25.00 minimum^{2,3} without CBPU cablevision service.
 Monthly Rate: \$29.99 with any CBPU cablevision service.
 \$36.99 without CBPU cablevision service.

Residential - Quick

Installation: No charge with any CBPU cablevision service.
 \$25.00 minimum^{2,3} without CBPU cablevision service.
 Monthly Rate: \$35.99 with any CBPU cablevision service.
 \$39.99 without CBPU cablevision service.

Entrepreneurial Business (business with no more than three telephone lines)

Installation: \$100.00^{1,2}
 Monthly Rate: \$35.00⁴ bandwidth
 \$30.00 equipment lease

Small Business (business with no more than five telephone lines)

Installation: \$150.00^{1,2}
 Monthly Rate: \$95.00⁴ bandwidth
 \$30.00 equipment lease

Commercial/Industrial (business with more than five telephone lines)

Installation: \$350.00^{1,2}
 Monthly Rate: \$150.00⁴ bandwidth
 \$35.00 equipment lease

DARK FIBER CHARGE

Monthly Rate: \$1,000.00 per fiber mile

¹ Individual Case Basis; Depends on equipment necessary and bandwidth desired.
 Hourly rate of \$25.00 per hour.

² May also require the purchase of a NIC (network interface card).

³ Additional computers will be installed and billed at an hourly rate of
 \$25.00 per hour.

⁴ Charge may vary depending on bandwidth desired.

TELECOMMUNICATIONS RATES

	<u>Commercial/ Industrial</u>	<u>Residential/ Small Business</u>
<u>DIAL UP ACCESS</u>		
Installation:	\$0.00	\$0.00
Monthly Rate: (Branch County)	\$14.95	\$14.95
Yearly Rate:	\$179.40	\$179.40
<u>ADDITIONAL E-MAIL ACCOUNTS</u>		
Monthly Rate:	\$ 2.20	\$ 2.20
<u>E-MAIL FORWARDING</u>		
Monthly Rate per E-mail Account:	\$ 2.20	\$ 2.20
<u>ADDITIONAL MAILBOX SIZE</u>		
Monthly Rate per Meg:	\$ 1.10	\$ 1.10
<u>DNS SERVICE</u>		
Installation:	\$100.00	\$100.00
Monthly Rate:	\$16.50	\$16.50
<u>STATIC IP</u>		
Monthly Rate:	\$25.00	\$25.00
<u>NETWORK CONSULTING SERVICES</u>		
\$150.00 per hour.		

WEB HOSTING

Domain
(Existing)

FEES:

Setup	\$100.00
Monthly Fee	38.50
Annual Fee (Optional)	462.00
Domain Registration	Included

FEATURES:

Web Space	50MB
Bandwidth (Total Monthly)	2500MB
# of POP3/FTP/Alias	10
SSL	N/A
Shopping Cart	N/A
Full Service Web Store	N/A

USER OPTIONS:

Add'tl Web Space	N/A
Add'tl 5 Email Addresses	\$11.00/Mo
SSL	N/A
Web Store	N/A

Web Hosting Terms and Options

Service Includes:

- 1) Domain Name Services for web site
- 2) Availability of CGI-BIN and FrontPage extensions
- 3) Statistics of web page utilization by graphical and raw log files
- 4) Access to servers by FTP
- 5) Domain e-mail included

Basic Web Hosting: (no frills, website only)

Set up fee:	\$25.00
Monthly Rate:	\$15.00

Metro Ethernet Rates

<u>Metro E-5</u>	(5 Mbps bi-directional bandwidth data service)
Monthly Rate:	\$ 249.00 ²
Installation:	\$2,500.00 ¹
<u>Metro E-10</u>	(10 Mbps bi-directional bandwidth data service)
Monthly Rate:	\$ 399.00 ²
Installation:	\$2,500.00 ¹
<u>Metro E-20</u>	(20 Mbps bi-directional bandwidth data service)
Monthly Rate:	\$ 549.00 ²
Installation:	\$2,500.00 ¹
<u>Metro E- P2P</u>	(Point-to-point service configurations)
Monthly Rate:	^{2, 3}
Installation:	\$2,500.00 ¹

¹ Individual case basis; price not to exceed \$2,500 per installation.

² Three (3) year signed contract required.

³ Depends on equipment and bandwidth desired.

LONG DISTANCE SERVICE
SWITCHED RATE PLAN
(continued)

Travel Card

\$0.2000 Flat Rate, 24 hours a day / 7 days a week for domestic 48 states

Special Taxes

Rates shall be increased to offset any new or increased specific tax or excise imposed by any governmental authority; or any surcharges imposed.

CBPUtelecom
VOIP
VOICE OVER INTERNET PHONE SERVICE

Unlimited Residential Usage	\$29.95 per month
Unlimited Business Usage	\$44.00 per month
Activation Charge	\$39.95 per line
Operator Assistance	\$ 3.50 per call
Directory Assistance	\$ 1.50 per call
Replacement ATA (Analog Telephone Adapter)	\$75.00
Virtual Number	\$ 7.50
Any Service Change Orders - (MACD - Move, Add, Change or Delete)	\$12.00 per order