

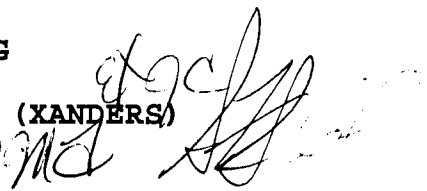
FLORIDA PUBLIC SERVICE COMMISSION

Fletcher Building  
101 East Gaines Street  
Tallahassee, Florida 32399-0850

M E M O R A N D U M

April 22, 1993

TO : DIRECTOR OF RECORDS AND REPORTING

FROM : DIVISION OF WATER AND WASTEWATER (XANDERS)  
DIVISION OF LEGAL SERVICES (FEIL) 

RE : UTILITY: FAMILY DINER, INC. AND TURKEY CREEK, INC.  
D/B/A TURKEY CREEK UTILITIES  
DOCKET NO. 921098-WS  
COUNTY: ALACHUA  
CASE: APPLICATION FOR WATER AND WASTEWATER  
CERTIFICATES UNDER GRANDFATHER RIGHTS BY  
FAMILY DINER, INC. AND TURKEY CREEK, INC.  
D/B/A TURKEY CREEK UTILITIES

AGENDA : May 4, 1993 - CONTROVERSIAL - PARTIES MAY  
PARTICIPATE - PROPOSED AGENCY ACTION

CRITICAL DATES: None

SPECIAL INSTRUCTIONS: THIS IS AN INITIAL DECISION WHICH SHOULD  
BE HEARD BY THE FULL COMMISSION

RECOMMENDATION FILE NAME: I:\PSC\WAW\WP\921098B.RCM

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DOCUMENT NUMBER-DATE

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FPSC-RECORDS/REPORTING 349

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### CASE BACKGROUND

Family Diner, Inc. and Turkey Creek, Inc. d/b/a Turkey Creek Utilities (Turkey Creek) is a Class C utility in Alachua County which provides water and wastewater services to approximately 300 residential and general service customers within the Turkey Creek development. On October 26, 1992, Turkey Creek filed an application for certificates to provide water and wastewater services pursuant to Section 367.171, Florida Statutes, under grandfather rights. The Commission got jurisdiction on June 30, 1992.

At the January 19, 1993, Agenda Conference, the Commission granted Turkey Creek Water Certificate No. 550-W and Wastewater Certificate No. 480-S, reduced its rates to those which were effective on December 26, 1990, and ordered a refund of the monies collected pursuant to two illegal rate increases, including interest. Each of these issues were approved as Proposed Agency Action and the utility has filed a protest on all three issues. This matter is currently scheduled for hearing on November 3, 1993.

In addition to the above, the Commission voted to keep the docket open so that staff could evaluate certain charges made by Turkey Creek and the policies and procedures of the utility which were brought to staff's attention by the customers of the utility. This recommendation addresses the remaining charges, the policies and procedures of the utility. Staff recommends that the Commission take action on Issues 1 through 8 on its own motion.

Staff has received numerous complaints from customers regarding the quality of the water. When we received these complaints, we recommended to the customers that they notify the Department of Environmental Regulation (DER) regarding their problems with the water. On behalf of the customers, the TCMOA wrote the DER regarding the quality of water. DER sent a representative to Turkey Creek to test the water. According to Blanca Rodriguez, Environmental Administrator with DER, the engineer who inspected the plant found no deficiencies with the facility. The inspector found that the water was clear with normal pH and chlorine levels and that no bad odor was present. In addition, Ms. Rodriguez stated that upon review of the chemical and bacteriological data, DER found that Turkey Creek met the quality standards set by the Environmental Protection Agency and the State of Florida. Therefore, staff concludes that there does not appear

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to be a water quality problem that needs to be addressed by the Commission at this time.

**DISCUSSION OF ISSUES**

**ISSUE 1:** Should Turkey Creek be authorized to continue collecting a charge for public fire protection?

**RECOMMENDATION:** No, Turkey Creek should be directed to discontinue collecting its charge for public fire protection, effective with the 1993 billing. The Turkey Creek Master Owners Association should be held responsible for one-half of the 1992 fire hydrant bill. The utility should be directed not to discontinue service to the fire hydrants in the event the association does not pay the 1992 bill. (XANDERS, FEIL)

**STAFF ANALYSIS:** The utility currently charges the Turkey Creek Master Owners Association (TCMOA or association) \$19.98 per fire hydrant for service to approximately 92 hydrants. This charge is made to the TCMOA in October of each year. Prior to 1992, Mr. Norwood Hope, owner of the utility, was president of the TCMOA. In 1992, a new Board of Directors was elected which did not include Mr. Hope. When the new TCMOA board was billed in October of 1992 for fire protection, they refused to pay the bill because they were concerned about the appropriateness of the charge. The cause for this concern was that there was no written agreement between the utility and the TCMOA showing that the TCMOA agreed to pay for fire protection. According to Mr. Hope, when he was president of the TCMOA he made a verbal agreement between the utility and the TCMOA that the association would be responsible for the fire protection bill. Even though staff has copies of bills indicating that the charge has been made to the TCMOA in the past, there is no clear documentation showing that the charge has ever been paid.

When the association refused to pay the 1992 bill, Mr. Hope threatened to discontinue service to the hydrants. A motion for an Emergency Order was issued by the Office of Public Counsel asking that the Prehearing Officer issue an order which would prohibit the utility from discontinuing service to the hydrants. Subsequently, Turkey Creek agreed not to discontinue service. To date, the TCMOA has not paid the bill and late fees are still accruing.

It is PSC practice to include the cost of public fire protection in the rates for service rather than develop a separate charge. There are several reasons for this position. First of all, public fire protection is generally the responsibility of local government. The property owners within the range of the fire hydrants benefit from this service, which is reflected in the property value. Therefore, if there is a separate charge for fire

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hydrants, theoretically the utility should be billing the local government which should pass the cost on to the property owners in their real estate taxes. However, in most cases this is not a realistic alternative. The true cost of fire protection is significant and can only be determined through a cost of service study. The cost of performing such a study is prohibitive for most water companies, and thus not practical. Further, if a cost is developed for fire protection and is not paid, the utility is allowed by Commission rules to discontinue service. Staff believes that it is not reasonable to allow utilities to discontinue service to public fire hydrants for nonpayment of a bill. For all of these reasons, the Commission has included the cost of public fire protection in the rates for service.

Staff believes this position is valid in this case and the public fire hydrant charge should be discontinued. As mentioned above, the utility threatened to cut off service to the fire hydrants for nonpayment of the bill in 1992. While this is within the utility's rights pursuant to the Commission rules, it is not a reasonable alternative for the collection of the bill. Also, the utility is billing the homeowners association for this protection. Staff is unaware whether all of the customers of the utility are currently members of the association. However, even if it is currently the case, it is possible that not every customer will be a member of the association in the future, especially if the utility extends its service area beyond the Turkey Creek development. Therefore, the association could be paying for a service that benefits more than its members.

Staff requested the utility to provide an analysis of what the fire hydrant charge is designed to recover. Mr. Hope advised that the \$19.98 charge per fire hydrant is a token fee for furnishing fire hydrant service, maintenance and water to each fire hydrant. Staff agrees that this is a token fee and does not reflect the true cost of providing fire protection. The revenue effect of the charge is approximately \$1,850.00 per year. Therefore, removing the charge should not have a significant effect on the utility's earnings.

Based on the above, staff recommends that the utility be required to discontinue the charge for fire protection effective 1993.

Turkey Creek billed the TCMOA in October, 1992, for fire hydrant service which was rendered for the year 1992. Since the Commission received jurisdiction over Turkey Creek on June 30, 1992, the Commission can only pass judgment on matters which

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occurred after that date. Therefore, staff believes the Commission can require the TCMOA to pay for that portion of the service rendered after the Commission received jurisdiction, but it does not have the authority to require TCMOA to pay for service rendered before. In staff's view, the fact that the bill was rendered after the Commission received jurisdiction is irrelevant. The bill could have been rendered at any time, before or after the jurisdictional date. The fact remains that the service was provided throughout the year. Accordingly, the Commission should require TCMOA to pay one-half of the 1992 fire hydrant bill.

Staff does not believe that the Commission should allow Turkey Creek to terminate the hydrant service if TCMOA does not pay its bill for the reasons set forth above, the foremost reason being the danger to the community. Certainly, Turkey Creek may pursue a remedy against TCMOA in Circuit Court for any unpaid amounts for the fire hydrant service regardless of whether the Commission required payment of all or a portion of the bill.

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**ISSUE 2:** What Miscellaneous Service Charges should be approved for Turkey Creek Utilities?

**RECOMMENDATION:** The appropriate Miscellaneous Service Charges are those contained in the staff analysis. Turkey Creek should be required to file tariff sheets consistent with this decision. The effective date of the charges should be the effective date of the order. (XANDERS)

**STAFF ANALYSIS:** Currently, Turkey Creek charges the following as Miscellaneous Service Charges:

<u>TYPE OF SERVICE</u>	<u>Water</u>	<u>Wastewater</u>
Initial Connection:	\$40.00	\$40.00
Prepaid Disconnection:	\$40.00	\$40.00
Disconnection:	\$40.00	\$40.00
Normal Reconnection:	\$40.00	\$40.00

In addition to the above, the utility charges \$60.00 for the above services if the service is provided after normal working hours.

At the time of connection, the utility charges each customer \$40.00 for connection and \$40.00 as a "prepaid" disconnection charge. Anytime a customer requests that the utility disconnect service (such as to receive service from a plumber), Turkey Creek charges \$40.00 to disconnect the service and then \$40.00 to reconnect the service.

It is Commission practice that the fee for connection to the system anticipates that the customer will ultimately be disconnected. Therefore, separate disconnect charges are not usually approved by the Commission. In addition, the above charges are considerably higher than those normally approved by the Commission. Further, higher charges for work done after normal working hours are only allowed if justification is provided. For this reason, staff requested documentation supporting the utility's Miscellaneous Service Charges; however, none was provided. Therefore, staff recommends that the Commission approve the standard charges as found in Staff Advisory Bulletin No. 13, 2nd Revised, as Turkey Creek's Miscellaneous Service Charges. These charges are as follows:

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<u>TYPE OF SERVICE</u>	<u>WATER</u>	<u>WASTEWATER</u>
Initial Connection	\$15.00	\$15.00
Normal Reconnection	\$15.00	\$15.00
Violation Reconnection	\$15.00	Actual cost
Premises Visit (in lieu of disconnection)	\$10.00	\$10.00

When both water and wastewater service is provided, only a single charge is appropriate unless circumstances beyond the control of the utility require multiple actions.

The above charges should be effective upon expiration of the protest period if no timely protest is received.

Turkey Creek always has the right to file a tariff filing requesting higher Miscellaneous Service Charges with supporting documentation as to why the charges should be higher. This could be done outside of a rate case proceeding.



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**ISSUE 3:** Should Turkey Creek be required to refund the accrued interest associated with the customer deposit?

**RECOMMENDATION:** Yes. Turkey Creek should be required to refund the accrued interest from June 30, 1992, the date of jurisdiction. The refund should be completed within sixty days of the effective date of the order. Refund reports consistent with Rule 25-30.311(7), FAC, should be filed. In addition, the utility should be required to notify the customers of the action taken herein, such notice should be submitted to the Commission staff for approval prior to its mailing to the customers. (XANDERS)

**STAFF ANALYSIS:** Staff has learned from customers that, on its own motion, the utility refunded a portion of each customer's deposit, without interest. The customers have advised us that the utility did not explain what the refund represented nor that a portion of the deposit was being retained. In refunding, the utility has apparently retained \$40.00 from each deposit. Staff believes this represents the "prepaid disconnection" charge, which the utility is currently collecting. However, the utility did not collect this prepaid charge from all customers. Therefore, the \$40.00 the utility retained should be considered a customer deposit on a going forward basis, for which the utility must pay interest in accordance with Rule 25-30.311(4), Florida Administrative Code (FAC). Pursuant to subsection (5) of that rule, the utility must refund the remainder of the residential deposits, with accrued interest, to customers who have established a satisfactory payment record after the utility has been subject to the jurisdiction of the Commission for twenty three months.

Rule 25-30.311(5), Florida Administrative Code, states that "[n]othing in this rule shall prohibit the company from refunding at any time a deposit with any accrued interest." Since the utility has elected to refund part of the customer deposit, staff is recommending that it be required to refund accrued interest from June 30, 1992, the date PSC obtained jurisdiction over this utility. The utility should be required to complete the refund with interest within sixty days of the effective date of the order if no timely protests are received. Refund reports consistent with Rule 25-30.311(7), FAC, should be filed.

In addition, since the utility never advised the customers of the partial refund of the deposit, it should be required to notify the customers of this fact as well as of the Commission's decision in this regard. The notice should be submitted to the Commission staff for approval before it is sent to the customers.

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**ISSUE 4:** What is the appropriate late fee for Turkey Creek Utilities?

**RECOMMENDATION:** The appropriate late fee for Turkey Creek is \$3.00. The utility should be required to file tariff sheets consistent with this decision. The effective date of the charge should be the effective date of the order. (XANDERS)

**STAFF ANALYSIS:** Currently, the utility charges as its late fee \$20.00 or 10% of the amount of the bill, whichever is greater. Staff requested justification of this charge and none was provided. In recent cases, this Commission has found that \$3.00 is a reasonable amount to charge as a late fee for water and wastewater utilities. Staff believes the charges assessed by Turkey Creek are unreasonable and should be discontinued. The utility has the right by Commission rule, to collect customer deposits. Most deposits are designed to cover approximately two months' bills. In addition, the utility is allowed to disconnect service for nonpayment after allowing 20 days for the customer to pay the bill and 5 working days written notice before disconnection. Therefore, the deposit should be adequate to cover the delinquent bill. Staff recommends that the utility be required to discontinue its late fee and begin charging a fee of \$3.00 as a late fee. The revised late charge should be effective upon expiration of the protest period if no timely protest is received.

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**ISSUE 5:** What are the appropriate Service Availability Charges for Turkey Creek Utilities?

**RECOMMENDATION:** The Service Availability Charges as detailed in the Staff Analysis should be approved. The utility should be required to file tariff sheets consistent with this recommendation. The effective date of the charges should be the effective date of the order. (XANDERS)

**STAFF ANALYSIS:** The Service Availability Charges should be based on those which became effective on December 26, 1990. This is the same effective date as the rates which were approved by the Commission at the January 19, 1993 Agenda Conference. These charges include a meter installation charge and a capital facilities charge for water which varies by meter size. For the wastewater service, the utility charges a capital facilities charge which is based on meter size. These charges are as follows:

**WATER SYSTEM**

**Capital Facilities Charge**

<u>Meter Size</u>	<u>Charge</u>
5/8 x 3/4"	\$380.00
1"	545.00
1 1/2"	675.00
2"	900.00

**Meter Installation Charges**

<u>Meter Size</u>	<u>Charge</u>
5/8 x 3/4"	\$375.00
1"	460.00
1 1/2"	675.00
2"	900.00

WASTEWATER SYSTEM

Capital Facilities Charge

<u>Meter Size</u>	<u>Charge</u>
5/8 x 3/4"	\$440.00
1"	590.00
1 1/2"	725.00
2"	950.00

It is Commission practice to establish plant capacity charges designed to defray the cost of the customer's pro rata share of the treatment plant. This charge is normally a charge per equivalent residential connection (ERC), and not based on meter size of the customer. Staff believes the "capital facilities" charge of Turkey Creek is a plant capacity charge. We recommend that a plant capacity charge per ERC be approved for the water and wastewater systems equal to the charge for the 5/8 x 3/4" meter. Therefore, we recommend plant capacity charges of \$380 and \$440 per ERC, respectively for the water and wastewater systems.

It is Commission practice to establish meter installation charges by which the utility recovers only the cost of installing the device at the point of delivery including materials and labor required. Usually the cost of tapping into the utility's main and running a lateral to the customer's meter is a separate charge based on actual cost since it can vary substantially. Normally, the meter installation fee for a standard 5/8 x 3/4" meter is approximately \$100. Since Turkey Creek's meter installation charges are significantly higher, staff believes the utility is including the cost of the customer connection in this fee. We recommend that a meter installation fee be broken out of the utility's charges and shown separately. Accordingly, we recommend the following meter installation charges:

<u>Meter Size</u>	<u>Charge</u>
5/8 x 3/4"	\$100
1"	175
Above 1"	Actual cost

In addition, the utility should be allowed to collect a customer connection charge based on the cost of connecting to the utility's main.

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The utility should be required to file tariff sheets consistent with this recommendation. The effective date of the charges should be the effective date of the order if no timely protests are received upon expiration of the protest period.

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**ISSUE 6:** Should the utility be required to meter its unmetered irrigation locations?

**RECOMMENDATION:** Yes, if the customer desires to continue receiving irrigation service, the utility should be required to install the size meter requested by the customer at the unmetered irrigation locations and begin charging the tariffed rates. The customer should be required to pay the appropriate meter installation fee. The meters should be installed within sixty days of the effective date of the order. (XANDERS)

**STAFF ANALYSIS:** There are currently seven unmetered irrigation locations which receive service from Turkey Creek. Two of these locations are at a condominium located in the Turkey Creek Subdivision and the remaining five are at common areas of the Turkey Creek Subdivision. According to the utility, the unmetered irrigation locations at the condominium have not been metered because the customers were unable to locate the cutoffs in order for the utility to install meters. Currently, the utility is charging the customers a flat rate of \$21.40 which was agreed upon by the utility and the customers. There is no cost basis for this charge.

The remaining unmetered locations are common areas of the Turkey Creek Subdivision. The customer is the TCMOA. These locations are currently not receiving service from Turkey Creek because the utility has disconnected them for nonpayment from the TCMOA. This situation is similar to that surrounding the fire hydrant charge. When the new Board of Directors was elected in 1992, they questioned the irrigation charge because there was no cost basis for the charges. Again, this was a charge that Mr. Hope agreed upon when he was the President of the TCMOA and the owner of the utility. There is no supporting documentation showing how the cost was determined. When the TCMOA refused to pay for service because there was no basis for the charge, the utility disconnected service to these locations. The utility has stated, however, that it will reconnect the TCMOA if the association pays the appropriate meter installation charges for these irrigation locations.

For conservation purposes, staff believes that irrigation should not be unmetered. The utility is located within the St. Johns River Water Management District. This district has designated the entire district as a critical use area. Because of this, and the fact that the utility has stated to staff that it will meter the unmetered irrigation locations if the customers pay the appropriate fees, staff is recommending that if the customers desire irrigation service, the utility install meters at these

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locations within sixty days of the effective date of the order if no timely protests are received. The customer should pay the appropriate meter installation fee. In addition, the customer will decide what size meters they want and the utility will charge the customers the approved rates for General Service Customers.

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**ISSUE 7:** Should the utility be required to replace the 1 inch meters installed at residential homesites with 5/8" x 3/4" meters?

**RECOMMENDATION:** Yes, the utility should either replace 1 inch meters with 5/8 x 3/4 inch meter at no cost to the customer or begin charging the rates for the 5/8 x 3/4 inch meter. The utility should be required to provide an affidavit within thirty days of the effective date of the order of the action he has taken.  
(XANDERS)

**STAFF ANALYSIS:** It has been alleged by customers that Mr. Hope is installing one inch meters on residential property by his own choice. In these cases, the utility charges the higher Service Availability Charges and higher Minimum Charge for service. The utility's rates for service include a minimum charge which varies by meter size. If a customer uses between 4,000 and 6,000 gallons during one month he or she is charged the higher minimum charge.

Staff inquired as to why the utility was installing 1" meters instead of 5/8 x 3/4" meters, which is standard on residential property. Mr. Hope offered no explanation. Staff believes the utility acted improperly and should be required to install at no cost to the customer the standard 5/8 x 3/4" meter at these locations and begin billing the rates for that size meter. In the alternative, the utility may elect not to change out the meter. However, it must begin billing as if the customer were receiving service from a 5/8 x 3/4" meter. The utility should be required to provide an affidavit within thirty days of the effective date of the order of the action he has taken.



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**ISSUE 8:** Should the utility be required to revise its standard form for application for service?

**RECOMMENDATION:** Yes, the utility should be required to modify its application for service as outlined in the staff analysis and file a new standard form within thirty days of the effective date of the order. (XANDERS)

**STAFF ANALYSIS:** Turkey Creek requires applicants for utility service to sign an application for service. Staff has reviewed this form in its normal analysis of the utility's proposed tariff. In addition, we have received several inquiries from customers regarding this form. A copy of the utility's current application for service, which we received from a prospective customer, is attached to this recommendation as Attachment A. This application form does not comport with Commission rules in certain areas. Specifically, staff is recommending that the utility be required to make the following changes:

Paragraph 2 states, "A \$40.00 fee will be charged where any service is connected or disconnected for any reason during normal business hours. Any connections or disconnections at any other time will be charges at the rate of \$60.00 each." Staff is recommending in Issue 2 that the Miscellaneous Service Charges be reduced and there be a fifteen dollar charge including connection and disconnection. If the fifteen dollar charge is approved, the application should be rewritten to refer to the fifteen dollar charge for reconnection and delete any reference to a forty or sixty dollar charge. In the alternative, the utility may delete the phrase since this will be contained in the utility's tariff.

Paragraph 5 states "...I will pay a late charge of \$20.00 or 10%, whichever is greater." Staff has recommended that the late fee be reduce to \$3.00. If the \$3.00 is approved, the statement should be rewritten to refer to this charge. As with Paragraph 2, this phrase may be deleted since this will be contained in the utility's tariff.

Paragraph 6 states "My service will be disconnected after 5 working days written notice of said account being delinquent and pursuant to PSC rules for non-compliance with the rules and regulations, and before service may be reinstated, my account with Turkey Creek Utilities must be paid current, including the appropriate disconnection and reconnection fees." Staff believes that the reference to disconnection fees should be deleted since we are recommending that the utility not be authorized to collect disconnect fees.

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Paragraph 9 states that "I further agree to be responsible for any damage done to any seals, material or equipment of Turkey Creek Utilities." Staff believes that this statement needs to be deleted. It is unfair for the utility to require the applicant to assume total liability for any damage that may be done in the future to utility property. If such damage occurs in the future, the liability should be determined on a case-by-case basis.

Paragraph 10 states that "I am not to use any water, except as approved in writing by Turkey Creek Utilities on or in connection with the above premises which is not furnished or supplied by Turkey Creek Utilities, or its successors, designees, nominees, or assignees." Staff believes that this statement should be deleted. The utility does not have the authority to approve, nor can the Commission sanction, how an individual receives water service. County ordinance or deed restrictions will determine whether or not private wells are allowed, not the water utility.

Paragraph 13 states that "water from a well, stream, lake or basin may only be used for the purpose of watering grass, shrubs, gardens, and as approved by Turkey Creek Utilities." As with paragraph 10, this statement should be deleted because neither the utility nor the Commission has the authority to approve how the customer receives water service.

Paragraph 15 states that "I agree to be responsible for all attorneys' fees and costs incurred on behalf of Turkey Creek Utilities as a result of action taken to collect any charges incurred by me." Staff believes that this statement should be deleted because it assumes guilt on the part of the customer in any action taken by the utility. The Commission does not have the authority to sanction a blanket award for attorney's fees and costs. Also, there are provisions in the Florida Statutes which provide for the recovery of attorney's fees and costs when determined by the appropriate body to be justified.

Staff recommends that the utility's application be modified to meet the criteria above and a new application form filed within thirty days of the effective date of the order if no timely protests are received.

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**ISSUE 9:** Should the docket be closed?

**RECOMMENDATION:** No. The docket should remain open. (FEIL)

**STAFF ANALYSIS:** As mentioned in the Case Background, the utility has protested the Commission's prior order in this case which approves the utility's certificate, reduces the monthly rates for service and directs the utility to perform a refund of a rate increase implemented after PSC jurisdiction. The docket must remain open to process that objection and any objections the utility, or any other interested party, may file regarding the issues in this recommendation. Any protests to the order resulting from this recommendation will be heard at the November 3, 1993, hearing already scheduled.

**TURKEY CREEK UTILITIES**  
**APPLICATION FOR RESIDENTIAL WATER AND WASTEWATER SERVICE**

For a total of \$175.00 which represents a deposit of \$95.00, a connection fee of \$40.00, and disconnection fee of \$40.00, I do hereby apply for the services of Turkey Creek Utilities to serve water and sewer to:

Name \_\_\_\_\_ Location: Lot \_\_\_\_\_  
 Street Address \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 Phone No. \_\_\_\_\_ to begin on \_\_\_\_\_

I understand and agree as follows:

1. I will receive interest on my deposit money as set by the PSC rules.
2. Service connections or disconnections at the customer's request will only be done upon 3 working days written notice and during normal business hours of Turkey Creek Utilities. A \$40.00 fee will be charged where any service is connected or disconnected for any reason during normal business hours. Any connections or disconnections at any other time will be charged at the rate of \$60.00 each.
3. All payments for service shall be made in person or by mail at the office of Turkey Creek Utilities in Alachua, FL.
4. If service is rendered for less than fifty percent of the normal billing cycle, Turkey Creek Utilities shall prorate as per PSC rules.
5. If I do not pay for this service, plus applicable taxes thereon, on or before 4:30 P.M. on the 20th day after said bill has been mailed or presented for payment, it will be delinquent and I will pay a late charge of \$20.00 or 10% of the unpaid balance, whichever is greater, per month until paid.
6. My service will be discontinued after 5 working days written notice of said account being delinquent and pursuant to PSC rules for non-compliance with the rules and regulations, and before service may be reinstated, my account with Turkey Creek Utilities must be paid current, including the appropriate disconnection and reconnection fees.
7. The above mentioned deposit may be used to pay any delinquency on my account, and said deposit is refundable to me, provided my account with Turkey Creek Utilities is paid-in-full.
8. I am not to reenter, resell, allow to be used on another property or residence, any water obtained from Turkey Creek Utilities and that I will not allow other water to be connected with the water system of Turkey Creek Utilities.
9. I agree not to tamper with, damage or destroy any seals, material or equipment of Turkey Creek Utilities. I further agree to be responsible for any damage done to any seals, material or equipment of Turkey Creek Utilities.
10. I am not to use any water, except as approved in writing by Turkey Creek Utilities on or in connection with the above premises which is not furnished or supplied by Turkey Creek Utilities or its successors, designees, nominees or assignees.
11. I will not allow any water or waste, except normal human and kitchen waste generated in my residence, to enter the wastewater system of Turkey Creek Utilities. If I allow anything other than this to enter the wastewater system of Turkey Creek Utilities, I hereby agree to pay all costs involved in the repair or maintenance of the wastewater system as a result of this entry.
12. I agree that I will be responsible for all functions or malfunctions of the water and wastewater service from the point of collection into and including my system.
13. Water from a well, stream, lake or basin may be used only for the purpose of watering grass, shrubs, gardens, and as approved in writing by Turkey Creek Utilities.
14. A designated official from Turkey Creek Utilities may inspect my water or wastewater system on my property at any reasonable hour to determine compliance with this application. I further understand that if I am not complying with all conditions on this application, that my water and wastewater service will be discontinued pursuant to PSC rules.
15. I agree to be responsible for all attorneys' fees and costs incurred on behalf of Turkey Creek Utilities as a result of action taken to collect any charges incurred by me. I hereby agree to pay the rates and obey/follow rules as may be set or amended from time to time by Turkey Creek Utilities and/or PSC.

Signature \_\_\_\_\_

Date: \_\_\_\_\_

Social Security No. \_\_\_\_\_