

Chapter 62: SERVICE STANDARDS FOR WATER UTILITIES

SUMMARY: This rule sets forth comprehensive regulations for water utilities, including rules applicable to jobbing, conditions of service, seasonal service, low and high pressure areas, limited service contracts, and metering.

1. **Definitions**

- A. Corporation. A body created and authorized by law to act and be treated as a single legal entity with an identity distinct from that of its individual members. This definition includes, private companies, municipal and quasi-municipal corporations.
- B. Customer. A person, firm, government or government division which has applied for an is granted service or which is responsible for payment of the service.
- C. Establishment. A location at which water service is sought or is being rendered.
- D. Limited Service Contract. A written agreement, approved by the Commission, under which a water company agrees to provide and the customer agrees to accept a substandard level of service described in the contract.
- E. Person. An individual, partnership, or voluntary association.
- F. Private Line. (1) A water line constructed prior to May 7, 1986 across private property to serve one or more customers and not considered by the utility to be a main; (2) except as provided under section 2(C) "of Chapter 65", a water line constructed after May 7, 1986 across private property to serve a single customer, a single multi-unit dwelling complex or a single commercial or industrial development upon which no other person has an easement or other right of access for water line purposes. All other water lines shall be considered mains.
- G. Service Pipe. The pipe running from the water main to the customer's establishment.
- H. Temporary Establishment. An establishment that a water company reasonably believes to be a temporary nature after giving due consideration to the location, setting, structures, and use of the establishment. The absence of a cellar or permanent foundation shall not be the sole criterion used by the water company in determining that an establishment is of a temporary nature.

- I. **Water Company.** A corporation, person, or the lessee, trustee, of a corporation or person, owning, controlling, operating, or managing any water works for compensation within this State.
- J. **Water Main.** A water pipe, other than a service pipe, which is owned, operated, and maintained by a water company, and used for the transmission or distribution of water.

2. **General Provisions**

- A. **Applications for Service.** An application for service may be made by either owner or occupant of the establishment to be served. If a new service connection or other work on the owner's premise is required, the owner must authorize the water company to enter the premises to do the necessary work.
- B. **Advance Payment for Utility Jobbing.** Whenever a water company agrees to do work outside the scope of regulated utility service for a customer at the customer's expense, the utility may require an advance payment equal to the utility's estimated cost of the work. At the completion of the work, any excess over the actual bill for services will be returned, and any amount due in excess of the advance payment will be payable.
- C. **Service Pipe.**
 - i. A water company shall install, own and maintain the service drop portion of the service pipe, as described in and subject to the payment and other requirements of Chapter 65. The water company shall determine the size and location of its portion of the service pipe. The customer shall pay for, install, own and maintain the customer's portion of the service pipe. If a public way must be crossed by the customer's portion of the service pipe, the crossing must be approved by the company.
 - ii. When a water company is requested by a customer to thaw a frozen service pipe and it cannot be determined whether it was frozen on the water company's portion of the pipe or the customer's portion, one half of the cost of thawing the pipe shall be borne by the water company.
- D. **Temporary Service.**
 - i. If it is impractical for a water company to provide service directly to a customer, water may be furnished temporarily from an adjacent service if the water company and the owner of the adjacent service approve. The temporary service shall be at the expense of the customer requesting the service.

- ii. A water company shall have no obligation to make an investment to serve a temporary establishment. If however, service is installed at the customer's expense and water service is taken for the following five consecutive years after the initial provision of service, or if the factors causing the water company to believe that the establishment was temporary are removed, the establishment shall be considered permanent and the water company shall refund to the customer any expenses borne by him which would otherwise have been borne by the water company with interest compounded annually at a rate of 9.5% for private companies and 6% for quasi-municipal and municipal corporations.
- E. **Summer Service Pipes and Mains.** A water company shall be required to serve customers through summer service pipes and mains from May 1 to October 1. The water company may, however, elect to render service before May 1 or after October 1.
- F. **Joint Use of Pipe Trench.** A water company shall not place water mains or service pipe in the same trench with facilities of other utilities. If possible, a water utility shall provide a horizontal separation of ten feet between water mains or service pipe and facilities of other utilities.
- G. **Abatement.** If an establishment is to be vacated for a period of thirty days or more, a water company shall abate water charges if the customer notifies the utility in writing in advance of the vacancy and requests the utility to shut off service. If two or more customers are supplied by a single service, seals shall be placed upon the stop and waste valve or fixtures of the vacant establishment. The water company may file a tariff establishing a reasonable charge, based on its costs, for each resumption of customers subject to seasonal rates, or for partial vacancy or multiple units served through a single meter with a normal minimal charge for that size meter.
- H. If a customer so requests, a water company shall make a pro-rata reduction in the customer's rates if service is interrupted for longer than forty-eight hours if the interruption is not the customer's fault. The reduction shall be applied only to the minimum bill. The water company may make this adjustment on the next bill. Notice of any planned shut off shall be given to customers affected at least twenty-four hours in advance of the interruption of service. Notice of unplanned shut offs shall be given when practicable.
- I. **Low Pressure Areas.** A water company shall not extend its mains or render service to new customers in areas where substantially uniform system pressure at the connection of the water service to the main may be expected to fall below 20 p.s.i.g., except for periods of fire flow or system maintenance, unless a limited service contract is executed between the customer and the water company and approved by the Commission. If a customer within a utility's franchise area is willing to enter into a limited service contract, then the utility must provide service

to him unless the Commission orders otherwise. The water company shall ensure that the limited service contract shall specify the materials and minimum size for the customer's portion of the service pipe. The limited service contract shall be made expressly subject to the authority of the Commission to require better service when, upon investigation, the Commission concludes that service should be improved.

If the number of customers taking service under limited service contract exceeds one per cent of a water utility's total number of customers, the utility shall file a report with the Commission disclosing the number of limited service customers, their locations, and the reasons limited service for these customers appears warranted. The report shall also contain estimates of the cost of increasing pressures to these customers above 20 p.s.i.g. The Commission will review the report and may determine, after hearing, that either improved service or discounts for limited service should be ordered.

- K. Conservation. A water company shall take all reasonable steps to prevent unnecessary waste of water. A water company shall not supply water at flat rates for any continuous flow device. If a company concludes that a customer charged at flat rates is unnecessarily wasting water, the water company may convert the customer's service to a metered basis. When necessary to conserve the water supply, a water company may restrict or prohibit the use of hoses or sprinklers for both flat rate and metered customers.

3. Meters

- A. Application. A customer may receive water through a meter upon written application to the water company serving him. The water company shall determine the size of the meter, which shall be reasonable in view of the nature of the water service provided.
- B. Conversion from Metered Rates. A water company shall not convert an establishment served at metered rates to flat rates without the written approval of the Commission.
- C. Meter Setting. All meters shall be set as close as possible to the point of entrance of the service pipe to the building. The water company shall require the customer to provide a warm, dry, and accessible location for the meter. The cost of the meter and installation shall be borne by the water company. The location of the meter, once set, may be changed at the request and expense of the customer, but the change may be made only by an agent of the company. For new installations of meters one and one-half inches and larger in nominal size, the piping arrangement shall be in accordance with the requirements of the water company.

- D. Remote Reading Registers.
- i. If a water company installs a remote meter reading register at the request of a customer for his convenience, the register and installation shall be paid for by the customer but the equipment shall be owned and maintained by the water company.
 - ii. If a remote reading register is installed by the water company to expedite its meter reading and billing procedures, the installation shall be at the water company's expense.
- E. Meter Vaults. If a customer does not furnish a suitable location for a meter inside his building, or if for other reasons it is necessary to locate the meter outside the building, a water company may require the customer to provide and maintain a suitable underground vault. Installation may be performed by the water company on a jobbing basis.
- F. Repairs. Meter repairs and replacements necessitated by ordinary wear will be paid for by the water company. Those caused by freezing, hot water, or by other causes within the control of the customer may be charged to the customer, including the cost of removing and replacing the damaged meter.
- G. Testing. A water company furnishing water on a metered basis shall provide and maintain suitable equipment and facilities for testing its meters in a manner acceptable to this Commission, except that upon written request from a water company having a small number of meters and limited personnel, the Commission may waive this requirement if satisfactory arrangements are made with another water company or qualified firm properly equipped to test meters.

Portable test meters and equipment may be used to test meters in the field. Test meters and equipment shall be tested and recalibrated to insure accuracy at least once a year. The equipment shall include a device to regulate the flow of water through the meter during the test.

Meters placed in service shall be tested by the manufacturer, with proper certification of such testing furnished to the water company, or by the water company before installation. Thereafter, meters shall be tested periodically in accordance with this subsection or more frequently if requested by the customer. Tests made at the request of a customer shall be made in the presence of the customer or his representative if he desires, and a complete report of the test results shall be furnished to the customer in writing.

All tests shall be at the expense of the water company unless the customer requests more than one test in eighteen (18) months, in which case the water company may require the customer to make a reasonable deposit, if authorized by the water company's tariffs, to cover the cost of the test. If a meter tested at the request of a

customer does not conform to the standards below, the customer's deposit will be refunded. If the meter conforms to the standards below, the customer's deposit may be retained by the water company, and the meter may be continued in use at the same location.

To determine the accuracy of meters, the following standard specifications of the American Water Works Association shall be used for all testing of positive displacement cold water meters.

FLOW IN G.P.M.

Nominal Meter Size	Minimum	Intermediate	Maximum
5/8"	0.25	2	15
3/4"	0.50	3	25
1"	0.75	4	40
1 1/2"	1.50	8	80
2"	2.00	15	120
3"	4.00	20	250
4"	7.00	40	350
6"	12.00	60	700

No meter shall be placed or continued in service if it registers more than 2% above or below the intermediate or maximum flows or below 90% of the minimum flow.

Unless permitted otherwise a water company shall adopt the schedule shown below for routine testing of meters:

Nom. Size of Meter	Maximum Interval Bet. Test	
	Years	Cubic Feet
5/8"	8	100,000
3/4"	8	150,000
1"	8	300,000
1 1/2"	6	-
2"	6	-
3"	4 Field	-
4"	2 Field	-
6" & Larger	1 Field	-

H. Rate Adjustment.

- i. For purposes of computing rate adjustments, the accuracy of a meter in service shall be determined by adding the intermediate and maximum flow error and dividing this amount by two.
- ii. Adjustment. If a meter error as determined under Section (H)(i) is greater than 10%, the water company shall estimate the customer's water consumption for the applicable portion of the current billing period and the most recent full billing period based on that customer's average consumption, adjusted for known charges. The rate charged to the customer shall be computed according to this estimate. The water company shall refund to the customer any excess amount paid and may recover any deficiency from the customer.

If meter error as computed under Section (H)(i) is determined to be from 2% to 10%, a proportional adjustment shall be made in the rate charged to the customer for the applicable portion of the current billing period and the most recent full billing period. The water company shall refund to the customer any excess amount paid and may recover any deficiency from the customer.

- iii. If a test indicates that a meter malfunctioned by providing readings below the actual level of usage, the water company may elect not to make the rate adjustments set forth in subsections (H)(i) and (H)(ii) above.

4. Conditions of Service

- A. Entry. A water company shall reserve, as a condition of service, the right of reasonable access to all premises which it serves, at reasonable hours, to permit the inspection of plumbing and fixtures, to set, remove, or read meters, and to ascertain the amount of water used.
- B. Stop and Waste Valve. A water company shall require, as a condition of service, that every establishment be equipped with an operable stop and waste valve located inside the building near the service entrance, easily accessible, and protected from freezing. The water company shall also require that all piping be arranged to prevent back-siphonage and to permit draining whenever necessary.
- C. Pressure Fluctuation. A water company shall adopt reasonable regulations to prohibit or limit the use of water consumption equipment which will affect the utility's pressure or operating conditions and interfere with the service of other customers. If a customer fails to comply with these regulations, the water company may disconnect service pursuant to Chapter 81 of the Commission's rules.

- D. Safeguarding Direct Pressure, Water Devices, and Systems Supplied by Automatic Feed Valves. A water company shall require, as a condition of service, that customers install vacuum, temperature, and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve.
- E. Cross Connections. A water company shall adopt regulations to limit or prohibit any cross connection between the public water supply system and any other supply unless it is properly protected by measures which comply with rules of the Department of Human Services. In addition, the water company shall prohibit any connection that will cause back flow between the public water supply system and any plumbing fixtures, device or appliance, or between any waste outlet or pipe having direct connection to waste drains. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limit specified by the utility or department, the utility shall seek to discontinue service pursuant to Chapter 81.

5. **Appeal to the Commission**

The Public Utilities Commission will, upon motion of the water company or customer, interpret the meaning and effect of the provisions of this Chapter and may, for good cause shown, grant exceptions to these provisions to prevent undue hardship or injustice, or injury to health.

6. **Inconsistent Tariff Provisions**

This Chapter supersedes any inconsistent tariff provision of a water company. All water companies shall revise their regulations to be consistent with this chapter and file their revised regulations by January 1, 1984.

STATUTORY AUTHORITY: 35 M.R.S.A. §3

EFFECTIVE DATE:

July 30, 1983

AMENDED:

This rule was approved by the Secretary of State **January 27, 1987** and became effective **February 1, 1987**.

EFFECTIVE DATE (ELECTRONIC CONVERSION):

May 4, 1996

CONVERTED TO MS WORD:

May 17, 2005