



WATER UTILITY TARIFF

Flat Fork Water Supply Corporation
Utility Name

232 Tenaha St.
Business Address

Center, Texas 75935
City, State, Zip Code

(936)590-6451
Telephone Number

This Tariff is effective for utility operations under the following Certificate of Convenience and Necessity: 11711

The tariff is effective in the following county: Shelby

The tariff is effective in the following cities or unincorporated towns: (if any)
N/A

The tariff is effective in the following subdivisions or public water systems:
N/A



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Rate Schedule

Payment Options:

FFWSC accepts the following forms of payment: Check, Money Order, Credit Card

The monthly charge for standard metered water service is for a 5/8x3/4 meter.

The base rate (minimum monthly charge) for FFWSC is \$30.00.

The following rates are based on water usage:

Gallage Charge	
\$2.75 per 1,000 gallons	First 2,000 gallons
\$3.75 per 1,000 gallons	Next 4,000 gallons
\$4.25 per 1,000 gallons	Next 4,000 gallons
\$4.75 per 1,000 gallons	Next 10,000 gallons
\$5.50 per 1,000 gallons	Next 20,000 gallons
\$6.00 per 1,000 gallons	Usage thereafter

PUC rules require FFWSC to collect a fee of .5% of the retail monthly bill for remittance to Texas Commission of Environmental Quality.

Installation and Other Meter Fees

Tap Fee: \$1,200

Tap Fee covers the utility's cost for materials and labor to install a standard residential 5/8x3/4 meter. Additional fees to cover non-standard installation will be the actual cost of installation.

Meter Relocation Fee: Actual Cost (not to exceed tap fee)

The fees may be charged if a customer requests that an existing meter be relocated.

Meter Test Fee: \$25.00

FFWSC shall test a member's meter upon written request of a member.



Reconnection Fee: \$25.00 for non-payment of bill, \$30.00 at member's request to disconnect.

The reconnect fee must be paid before service can be restored to a customer who has been disconnected for non-payment of bill or customer request for disconnection.

Late Charge: \$10.00

PUC rules allow a one-time penalty to be charged on delinquent bills. A late charge may not be any balance to which the penalty was applies in a previous billing.

Returned Check Charge: \$40.00

Regulatory Fees

In the event that any federal, state or local government imposes on FFWSC a "per meter" fee or assessment, this fee will be billed and collected as a "pass through" charge to the customer.

Adjustment Assessment

If, at the end of the fiscal year or in the event of emergency repairs, the Board of Directors determines the total amount derived from the collection of water charges to be insufficient for the payment of all costs incidental to the operation of FFWSC during the year in which such charges are collected, the Board shall make and levy an assessment against each member of FFWSC. The sum of the assessment and the amount collected from water and other charges is sufficient to fully pay all costs of the operation, maintenance and repayment of indebtedness for the year's operation.

Equipment Misuse Fee

If FFWSC facilities or equipment have been damaged by tampering, by-passing, installing unauthorized taps, reconnecting service without authority or other service diversion, a fee shall be charged equal to the actual costs for all labor, material and equipment necessary for repair, replacement and other FFWSC actions. The fee will be



charged and paid before service is re-established. The member shall be liable for all labor and materials charges incurred as a result of said acts or negligence.

Line Extension Fee

An approved applicant may have to pay all or part of the costs to extend a service line beyond FFWSC existing service lines

Membership Fee

At the time an application for service is approved, a refundable membership fee must be paid before service will be provided. The membership fee cannot be more than 12 times the minimum monthly base rate. The membership fee for FFWSC is \$100.

Service Rules and Policies

FFWSC shall have the most current Public Utilities Commission (PUC) rules relating to water utility regulations available at its office for reference purposes. The rules of this tariff shall be available for public inspection and reproduction for a reasonable cost. The latest rules or PUC changes shall supersede any rules or requirements in this tariff.

Application for Water Service

All applications for service shall be made on FFWSC standard application (Appendix E) and signed by the applicant. All required fees will be paid and easements, if required, will be granted before service is provided by FFWSC. If a recorded public utility easement on the applicant's property does not exist, or public road right-of-way easements are not available to access the applicant's property, FFWSC may require the applicant to provide it with a permanent recorded public utility easement on and across the applicant's real property sufficient to provide service to the applicant. A separate service agreement will be made for each service location.



Denial of Service

FFWS may decline to serve an applicant until the applicant has complied with the regulations of the PUC and Texas Commission for Environmental Quality (TCEQ). If service is refused by FFWSC, an applicant shall be notified, in writing, of the basis for the denial. See Appendix C for reasons for denial.

Activation of New Service

Before receiving service, applicants must comply with all of the following requirements if applicable:

1. **New Tap** – FFWSC shall charge a nonrefundable service installation fee as required in this tariff. The service installation fee shall be quoted in writing to the applicant. Any debt owed to FFWSC and all fees shall be paid prior to installation.
2. **Re-Service** – On property where service previously existed, FFWSC shall charge the Membership Fee, reconnection costs and any debt owed to FFWSC, if the applicant previously incurred those charges, and other applicable cost necessary to restore service.
3. **Performance of Work** – All tap and equipment installations specified by FFWSC shall be completed by FFWSC staff or designated representative after all requirements for service have been met. The tap for a standard service request shall be completed within five (5) working days after requirements for service have been met. This time may be extended if necessary.
4. **Inspection of Customer Service Facilities** – The property of the Member shall be inspected to ensure compliance with TCEQ required minimum Acceptable Operating Practices for Public Drinking Water Systems. The customer must, at his/her own expense, properly install, inspect, test, maintain and provide all required documentation of any approved backflow prevention device required by FFWSC.

FFWSC Response to Application for Service

After the applicant has met all the requirements, conditions and regulations for service, FFWSC shall install tap, meter and utility cut-off valve and/or take all necessary actions to initiate service. FFWSC will serve each qualified applicant for



service within five (5) working days unless line extensions or new facilities are required. If construction is required to provide service and if it cannot be completed within thirty (30) days, FFWSC will provide the applicant a written explanation of the construction required and an expected date of completion.

Customer Responsibility

The customer will be responsible for furnishing and laying the necessary customer service pipe from the meter location to the place of consumption. Customers will not be allowed to use the FFWSC cutoff valve on the utility's side of the meter. All customers are required to install and maintain a cutoff valve on their side of the meter.

The customer shall be responsible for compliance with all FFWSC, local and state codes, requirements and regulations regarding on-site service and plumbing facilities.

The customer shall provide access to the meter tap location as per the easement and service agreement. If access to the meter is hindered or denied, preventing reading of the meter, an estimated bill will be provided to the customer for the month; and a notice shall be sent to the customer indicating that access to the meter could not be gained. If access is denied for three (3) consecutive months after proper notification to the customer, then service will be discontinued and the meter removed without further notice. Conditions that could hinder access include, but are not limited to, fences with locked gates, vehicles or objects placed on top of meters or meter boxes and unrestrained animals.

The customer shall be responsible that all water connections shall be designed to ensure against on-site sewage contamination, backflow or siphonage into FFWSC water supply. In particular, livestock water troughs shall be plumbed above the top of the trough with air space between the discharge and the water level in the trough.

The use of pipe and pipe fittings that contain more than 0.25% lead or solder and flux that contain more than 0.2% lead is prohibited for any plumbing installation or repair of any residential or nonresidential facility providing water for human consumption and connected to FFWSC facilities. The customer's responsibility shall



begin at the discharge side of the meter. Customer service lines shall be installed by the applicant and must be installed from the meter to the place of consumption. The customer is required to keep the service lines in good repair.

Customer Service Inspections

Applicants for new service connections or facilities that have undergone extensive plumbing modifications are required to furnish FFWSC a completed customer service inspection certificate. The inspection certificate shall certify that the customer has complied with all TCEQ rules and regulations for public water systems. FFWSC is not required to perform these inspections but will assist the customer in locating and obtaining the services of a licensed inspector.

Backflow Prevention Devices

No water connection shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination by either an approved air gap, backflow prevention device or other approved device. The type of backflow prevention device required shall be determined by the specific potential hazard identified in Title 30 Texas Administrative Code (TAC) §290.47 (i) Appendix I, Assessment of Hazards and Selection of Assemblies of the TCEQ Rules and Regulations for public water systems.

The use of a backflow prevention device at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes. When a customer service inspection certificate indicates that an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

At any residence or establishment where it has been determined by a customer service inspection, that there is no actual or potential contamination hazard, no backflow prevention device is required. Outside hose bibs do require, at a minimum, the installation and maintenance of a working atmospheric vacuum breaker.

All backflow prevention devices shall be tested upon installation by a TCEQ certified backflow prevention device tester and certified to be operating within specifications at least annually.



If FFWSC determines that a backflow prevention device is required, the utility will provide the customer with a list of TCEQ certified testers. The customer will be responsible for the cost of installation and testing, if any, of the backflow prevention device. The customer must pay for any required maintenance and annual testing and must furnish a copy of the test results demonstrating that the device is functioning properly to FFWSC within thirty (30) days following the installation and/or testing.

Access to the Customer's Premises

FFWSC will have the right of access to the customer's premises at all reasonable times for the purpose of installing, testing, inspecting or repairing water mains or other equipment that is used in connection with its provision of water service, or for the purpose of removing its property and disconnecting lines and for other purposes necessary to FFWSC including inspecting the customer's plumbing for code, plumbing or tariff violations. The customer shall allow FFWSC and its personnel access to the customer's property to conduct any water quality tests or inspections required by law. Such entry shall be during normal business hours and FFWSC personnel will attempt to notify the customer that they will be working on the customer's property unless entry is necessary to respond to equipment failure, leak or other condition creating an immediate threat to public health and safety or for the provision of adequate water service to other customers.

All customers or service applicants shall provide access to meters and utility cutoff valves at all time reasonably necessary to conduct FFWSC business and after normal business hours to protect and preserve the integrity of the water supply.

Meter Requirements, Readings and Testing

One meter is required for each residential, commercial or industrial connection. All water sold by FFWSC will be based on meter measurements. FFWSC will provide, install, own and maintain meters to measure amounts of water consumed by its customers. No more than one (1) residential, commercial or industrial service connection is allowed per each meter tap. FFWSC may consider allowing an apartment building or mobile home/RV park to apply as "Master Metered Account" and have a single meter tap. If FFWSC has sufficient reason to believe a multiple connection exists, FFWSC shall discontinue service



with notice for the first violation according to guidelines in this tariff and without notice for any subsequent violations.

FFWSC ownership and maintenance responsibility of water supply and metering equipment shall end at the meter or other service equipment as installed. Therefore, all water usage registering upon and/or damages occurring to the metering equipment owned and maintained by FFWSC shall be subject to charges as determined by the FFWSC tariff and supplemental amendments.

FFWSC shall require each customer to have a cutoff valve located outside of the meter box and within two feet of the meter on the customer's side of the meter for the purpose of isolating the customer's service pipeline and plumbing facilities from FFWSC water pressure. Customer use of FFWSC curb stop or other valve equipment is prohibited. Any damage to FFWSC equipment shall be subject to service charges. A customer's cutoff valve may be installed as part of the original meter installation.

A customer is required to notify FFWSC 48 hours prior to any digging or excavation activities along or near water lines.

Meters will be read at monthly intervals and as nearly as possible on the corresponding day of each month.

Meter Tests

FFWSC will, upon the request customer, and, if the customer desires, in his/her presence or in that of an authorized representative, make without charge a test of the accuracy of the customer's meter. If the customer asks to observe the test, the test will be conducted during normal business hours at a time convenient to the customer. If, within a period of two (2) years the customer requests a new test, FFWSC will conduct the test. If the meter is found to be within the accuracy standards, FFWSC will charge the customer \$25.00 for the test.

Regular Billing

Bills from FFWSC will be mailed monthly unless authorized by the PUC. The due date of bills will be at least sixteen (16) days from the date of issuance. Payment is considered delinquent if not received by the due date. If the due date falls on a weekend or holiday, the due date will be the next workday after the original due date.



FFWSC reserves the right to change its billing cycle if the workload requires such practice.

Late Fees

A penalty for late payment of \$10.00 will be charged on bills received after the due date. The penalty on delinquent bills will not be applied to any balance to which the penalty was applied on a previous bill.

Information on the Bill

Each bill will provide all information required by PUC rules. FFWSC will maintain and note on the monthly bill a local telephone number to which customers may direct questions.

Prorated Bill

If service is interrupted or seriously impaired for 24 consecutive hours or more, FFWSC will prorate the monthly base bill in proportion to the time service was not available.

Payments

All termination notices must be a separate mailing or hand delivered in accordance with PUC rules

All payments for water service shall be delivered in person, mailed or paid by credit card at the FFWSC business office. FFWSC service personnel shall not be allowed to collect payment in the field. Payment of an account by any means that has been dishonored and returned by the payor or payee's bank shall be deemed to be delinquent. All returned payments must be redeemed with a valid money order.



Service Disconnection With Notice

Water service may be discontinued if the bill has not been paid in full by the date listed on the termination notice. The termination date must be at least ten (10) days after the notice is mailed or hand delivered. (See Appendix C)

FFWSC will offer a deferred payment plan to a customer who cannot pay and outstanding bill in full and is willing to pay the balance in reasonable installments.

Disconnection Without Notice

Water service may be disconnected without notice for any of the following reasons:

1. A known dangerous or hazardous condition exists for which service may remain disconnected for as long as the condition exists including but not limited to public health nuisance as defined in Texas Health and Safety Code Sections 341.011 or 343.011. If there is reason to believe a dangerous or hazardous condition exists, FFWSC may conduct a customer service inspection for verification. FFWSC will disconnect service without notice if the customer refuses to allow access for the inspection. Service will be restored when an inspection confirms no health hazard exists or if the hazard has been isolated from FFWSC water system.
2. A line leak on the customer's side of the meter is considered potentially hazardous as stated above. If FFWSC conducts a customer service inspection and discovers that the line leak has created a hazardous condition, FFWSC will provide the customer up to five (5) business days to repair the line prior to disconnection of service.
3. Service is connected without authority by a person/entity who has not made application for service or who has reconnected service without authority following termination of service for nonpayment.
4. In instances of tampering with FFWSC meter tap or equipment, by-passing the meter or equipment or other diversion of water service.



Disconnection Prohibited

Water utility service may not be disconnected for any of the following reasons:

1. Failure of the customer to pay for merchandise or charges for non-utility service provided by FFWSC, unless an agreement exists between the customer and FFWSC whereby the customer agrees to payment of non-utility services as a condition of service.
2. Failure of the customer to pay for a different type or class of utility service unless a fee for such service is included in the same bill.
3. Failure of the customer to pay charges arising from an underbilling occurring due to any misappropriation of rates more than six (6) months prior to the current billing.
4. Failure of the customer to pay the account of another customer as guarantor thereof, unless FFWSC has, in writing, the guarantee as a condition precedent to service.
5. Failure of the customer to pay charges arising from an underbilling due to any faulty metering, unless the meter has been tampered with or unless such underbilling charges are due to inoperative meters.
6. Failure of the customer to pay an estimated bill other than a bill rendered pursuant to an approved meter reading plan unless FFWSC is unable to read the meter due to circumstances beyond its control.
7. Failure of the customer to pay a bill during extreme weather emergency if the customer has requested, accepted and is in compliance with the terms of a deferred payment plan.

Reconnection of Service

FFWSC personnel must be available during normal business hours to accept payments on the day service is disconnected and the following day unless service was disconnected at the customer's request or due to a hazardous condition.

Service must be reconnected within 36 hours after the past due bill, reconnect fees and any other outstanding charges are paid or the conditions which caused service to be disconnected are corrected.



Service Interruptions

FFWSC personnel will make all reasonable efforts to prevent interruptions in service. If interruptions occur, FFWSC will re-establish service within the shortest possible time. Except for momentary interruptions due to automatic equipment operations, FFWSC will keep a complete record of all interruptions, both emergency and scheduled and will notify the PUC, in writing, of any service interruptions affecting the entire system or any major division of the system lasting more than four hours. The notice will explain the cause of the interruption.

Quality of Service

FFWSC will plan, furnish and maintain production, treatment, storage, transmission and distribution facilities of sufficient size and capacity to provide a continuous and adequate supply of water for all reasonable consumer uses. Unless otherwise authorized by TCEQ, FFWSC will maintain facilities as described in TCEQ rules and regulations for public water systems.

Customer Complaints and Disputes

If a customer or applicant for service lodges a complaint, FFWSC will promptly make a suitable investigation and advise the complainant of the results. Service will not be disconnected pending completion of the investigation. If the complainant is dissatisfied with the FFWSC's response, FFWSC must advise the complainant that he/she has the recourse through the TCEQ or PUC complaint process, depending on the nature of the complaint. Pending resolution of a complaint, PUC may require continuation or restoration of service.

FFWSC will maintain a record of all complaints which shows the name and address of the complainant, the date and nature of the complaint and the adjustment of disposition thereof, for a period of two (2) years after the final settlement of the complaint.



Line Extension Policy

FFWSC is not required to extend service to any applicant outside of its certified service area and will only do so under terms and conditions mutually agreeable to FFWSC and the applicant, in compliance with PUC rules and policies and upon extension of FFWSC's certified service area boundaries by the PUC.

The applicant for service will be given an itemized statement of the costs, options such a rebates to the customer, sharing of construction costs between FFWSC and the customer or sharing costs between the customer and other applicants prior to the beginning of construction.

FFWSC and Applicant Service Costs

Within its certified service area, FFWSC will pay the cost of the first 200 feet of any water main or distribution line necessary to extend service to an individual residential customer within a platted subdivision. However, if the residential customer requesting service purchased the property after the developer was notified in writing of the need to provide facilities to FFWSC, FFWSC may charge for the first 200 feet. FFWSC must also be able to document that the developer of the subdivision refused to provide facilities compatible with FFWSC facilities in accordance with this policy after receiving a written request from FFWSC.

Residential customers will be charged the equivalent of the costs of extending service to their property from the nearest transmission or distribution line even if that line does not have adequate capacity to serve the customer. If the customer places unique, non-standard service demands upon the system, the customer may be charged the additional cost of extending service to and throughout their property, including the cost of all necessary transmission and storage facilities necessary to meet the service demands anticipated for that property.

Unless an exception is granted by TCEQ, the residential service applicant shall not be required to pay for costs of main extensions greater than 2" in diameter for water distribution. Exceptions may be granted by TCEQ if:

- Adequate service cannot be provided to the applicant using the maximum line sizes listed due to distance or elevation, in which case, it shall be FFWSC's burden to justify that a larger diameter pipe is required for adequate service;



- Or larger minimum line sizes are required under subdivision platting requirements or the residential service applicant is located outside the CCN service area.

If an exception is granted by TCEQ, FFWSC shall establish a proportional cost plan for the specific extension or a rebate plan which may be limited to seven years to return a portion of the applicant's cost for oversizing as new customers are added to ensure that future applicants for service on the line pay at least as much as the initial service applicant.

For purposes of determining the costs that service applicants shall pay, commercial customers with service demands greater than residential customer demands in the certified area, industrial and wholesale customers shall be treated as developers. A service applicant requesting a 1" meter for a lawn sprinkler system to service a residential lot is not considered nonstandard service.

If an applicant requires service other than the standard service provided by FFWSC, such applicant will be required to pay all expenses incurred by FFWSC in excess of the expenses that would be incurred in providing the standard service and connection beyond 200 feet and throughout his/her property including the cost of all necessary transmission facilities.

FFWSC will bear the full cost of any over-sizing of water mains necessary to serve other customers in the immediate area. The individual residential customer shall not be charged for any additional production, storage or treatment facilities. Contributions in aid of construction may not be required of individual residential customers for production, storage, transmission or treatment facilities unless otherwise approved by PUC under this policy.

Contributions in Aid of Construction

Developers may be required to provide contributions in aid of construction in amounts sufficient to furnish the development with all facilities necessary to provide for reasonable local demand requirements and to comply with TCEQ minimum design criteria and/or requirements for facilities used in the production, transmission, pumping or treatment of water.

Any applicant who places unique or non-standard service demands on the system may be required to provide contributions in aid of construction for the actual costs of any



additional facilities required to maintain compliance with TCEQ minimum design criteria for water production, treatment, pumping, storage and transmission.

Any service extension to a subdivision (recorded or unrecorded) may be subject to the provisions and restrictions of PUC Subst. R. 24.86(d). when a developer wishes to extend the system to prepare to service multiple new connections, the charge shall be the costs of such extension, plus a pro-rata charge for facilities which must be committed to such extension compliant with TCEQ minimum design criteria.

As provided by PUC Subst. 24.85(e)(3), for purposes of this section, commercial, industrial and wholesale customers shall be treated as developers.

A utility may only charge a developer standby fee for unrecovered costs of facilities committed to a developer's property under the following circumstances:

- Under a contract and only in accordance with the terms of the contract; or
- If service is not being provided to a lot or lots within two years after installation of facilities necessary to provide service to the lots has been completed and if the standby fees are included on the utilities approved tariff after a rate change application has been filed. The standby fees cannot be billed to the developer or collected until the standby fees have been approved by the PUC or the executive director. A manufactured housing rental community can only be charged standby fees under a contract or if FFWSC installs facilities necessary to provide individually metered service to each of the rental lots or spaces in the community.

Property and Right-of-Way Acquisition

With regard to construction of facilities, FFWSC shall require private right-of-way easements or purchase of private property as per the following conditions:

1. If FFWSC determines that right-of-way easements or facility sites outside the applicant's property are required, the applicant shall secure easements or else title to facility sites on behalf of FFWSC. All right-of-way easements and property titles shall be researched, validated and filed by FFWSC at the expense of the applicant.
2. No facilities shall be constructed in the public right-of way without prior written consent of FFWSC. All additional costs associated with facilities that must be installed in public rights-of-way on behalf of the applicant, if authorized by FFWSC, due to the inability of the applicant to secure private right-of-way easements, such as road bores and TxDOT approvals shall be paid by the



applicant. Alternatively, the applicant shall pay all costs, including administrative, legal and other professional fees and the condemnation award in the event FFWSC secures such private easements or facility sites through eminent domain proceedings.

3. FFWSC shall require an exclusive dedicated right-of-way easement on the applicant's property (as required by the size of planned facilities and as determined by FFWSC) and title to property required for other on-site and off-site facilities.
4. Easements and facilities sites shall be prepared for the construction of FFWSC pipelines and facility installations in accordance with FFWSC's requirements at the expense of the applicant.

Appealing Connection Costs

The imposition of additional extension costs or charges as provided by the extension policy of this tariff shall be subject to appeal as provided in this tariff, PUC rules or the rules of other such regulatory authority as may have jurisdiction over the FFWSC rate and services. Any applicant required to pay for any costs not specifically set forth in the rate schedule pages of this tariff shall be given a written explanation of such costs prior to payment and/or commencement of construction. If the applicant does not believe such costs are reasonable or necessary, the applicant shall be informed of the right to appeal such costs to the PUC or other such regulatory authority having jurisdiction over FFWSC rates in that portion of the FFWSC service area in which the applicant's property is located.

Applying for Service

FFWSC will provide a written service application form to the applicant for each request for service received by the FFWSC business office. A separate application shall be required for each potential service location if more than one service connection is desired by an individual applicant. Service application forms will be available at the FFWSC business office during normal weekday business hours. Service applications will be sent by prepaid first-class U.S. mail to the address provided by the applicant upon request or picked up at the FFWSC business office. Completed applications should be returned by hand in case there are questions which might delay fulfilling the



service request. Completed service applications may be submitted by mail if had delivery is not possible.

Where a new tap of service connection is required. The service applicant shall be required to submit a written service application and a request that a tap be made. A diagram, map, plat or written metes and bounds description of precisely where the applicant desires each tap or service connection is to be made and, if necessary, where the meter is to be installed, along the applicant's property line may also be required with the tap request. The actual point of connection and meter installation must be readily accessible to FFWSC personnel for inspection, servicing and meter reading while being reasonably secure from damage by vehicles and mowers. If FFWSC has more than one main adjacent to the service applicant's property, the tap or service connection will be made to FFWSC's nearest service main with adequate capacity to service the applicant's full potential service demand. Beyond the initial 200 feet, the customer shall bear only the equivalent cost of extending from the nearest main.

If the tap or service connection cannot be made at the applicant's desired location, it will be made at another location mutually acceptable to the applicant and FFWSC. If no agreement can be made, the applicant may refer the matter to the PUC for resolution.

Qualified Service Applicant

A "qualified service applicant" is an applicant who has: (1) met all of FFWSC requirements for service contained in this tariff, PUC rules and/or PUC order, (2) has made payment or made arrangement for payment of tap fees, (3) has provided all easements and rights-of-way required to provide service to the requested location, (4) delivered an executed completed customer service inspection certificate to FFWSC, if applicable, and (5) has executed a customer service application for each location to which service is being requested.

FFWSC shall serve each qualified service applicant within its certified service area as soon as practical after receiving a completed service application. All service requests will be fulfilled within the time limits prescribed by PUC rules once the applicant has met all conditions precedent to achieving "qualified service applicant" status. If the service request cannot be fulfilled within the required period, the applicant shall be notified, in writing, of the delay, its cause and the anticipated date that service will be available. The PUC service date shall not become applicable until the service applicant has met all conditions precedent to becoming a "qualified service applicant" as defined by PUC rules.



Developer Requirements

As a condition of service to a new subdivision, FFWSC shall require a developer (as defined by PUC rule) to provide permanent recorded public utility easements as a condition of service to any location within the developer's property.

Reasons for Denial of Service

FFWSC may deny service for any of the following reasons:

1. Failure of the applicant to complete all application requirements, including granting an easement, completing all forms and paying all required fees and charges;
2. Failure of the applicant to comply with rules, regulations, policies and bylaws of FFWSC;
3. Existence of hazardous conditions at the applicant's property which would jeopardize the welfare of the Members of FFWSC upon connection;
4. Failure of the applicant to provide representatives or employees of FFWSC reasonable access to property, for which service has been requested;
5. Failure of the applicant to comply with all governmental rules and regulations of the FFWSC tariff on file with the state regulatory agency governing water service;
6. Failure of the applicant to provide proof of ownership, to the satisfaction of FFWSC, of the property for which the connection has been requested;
7. Applicant's service facilities are known to be inadequate or of such character that satisfactory service cannot be provided;
8. Applicant's requested property to be served is located outside the boundaries of the FFWSC CCN;
9. Failure of the applicant to pay any previous outstanding delinquent account(s) in full. This could be delinquencies resulting from the same account location or other service location(s) within the FFWSC system boundaries.



APPENDIX A

Drought Contingency Plan



Drought Contingency Plan

NAME: Flat Fork Water Supply Corporation (FFWSC)

ADDRESS: 232 Tenaha St. Center, Texas 75935

TELEPHONE NUMBER: (936) 590-6451

WATER RIGHT NUMBER: CCN 11711

REGIONAL WATER PLANNING GROUP: East Texas Region 1

FORM COMPLETED BY: Rayford Copelin

TITLE: Vice President, FFWSC Board of Directors

PERSON RESPONSIBLE FOR IMPLEMENTATION: Glynn Russell **Phone:** (936) 590-6451

SIGNATURE: _____ **DATE:** _____

Section 1: Declaration of Policy, Purpose and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation and fire protection, and to protect and preserve public health, welfare and safety and to minimize the adverse impacts of water supply shortage or other water supply emergency conditions, FFWSC hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan (The Plan) are considered to be non-essential and continuation of such uses during such times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section 10 of this plan.



Section 2: Public Involvement

Opportunity for the public to provide input into the preparation of the Plan was provided by FFWSC by means of public notice of a meeting to accept input into the Plan.

Section 3: Public Education

FFWSC will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provided by means of press releases and utility bill notifications.

Section 4: Coordination with Regional Water Planning Groups

The service area of FFWSC is located within East Texas Region 1 and FFWSC has provided a copy of this Plan to Region 1.

Section 5: Authorization

The Board President, or his/her designee is hereby authorized and directed to implement the applicable provisions of this Plan upon determination that such implementation is necessary to protect public health, safety and welfare. The Board President or his/her designees shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section 6: Application

The provisions of this Plan shall apply to all persons, customers and property utilizing water provided by FFWSC. The terms "person" and "customer" as used in this Plan include individuals, corporations, partnerships, associations and all other legal entities.

Section 7: Definitions

For the purpose of this Plan, the following definitions shall apply:

Aesthetic water use – water use for decorative or ornamental purposes such as fountains, reflecting pools and water gardens.

Commercial and Institutional water use – water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants and office buildings.



Conservation – those practices, techniques and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency of the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer – any person, company or organization using water supplied by FFWSC.

Domestic Water Use – water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation or for cleaning a residence, business, industry or institution.

Even Number Addresses – street addresses, box numbers or rural postal route numbers ending in 0,2,4,6,8 and locations without addresses.

Industrial Water Use – the use of water in the processes designed to convert materials of lower value into forms having greater value and usability.

Landscape Irrigation Use – water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks and rights-of-way medians.

Non-Essential Water Use – water uses that are not essential nor required for the protection of public health, safety and welfare including:

- a. Irrigation of landscape areas including parks, athletic fields and golf courses except otherwise provided under this Plan;
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or any other vehicle;
- c. Use of water to wash down sidewalks, walkways, driveways, parking lots, tennis courts or any other hard-surfaced areas;
- d. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e. Flushing gutters or permitting water to run or accumulate in any gutter or street;
- f. Use of water to fill, refill or add to any indoor or outdoor swimming pools or jacuzzi-type pools;
- g. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;
- h. Failure to repair a controllable leak within a reasonable period after having been given notice directing the repair of such leak; and
- i. Use of water from hydrants for construction purposes or other purposes other than firefighting.

Odd Numbered Address – street addresses, box number or rural postal route number ending in 1,3,5,7,9.



Section 8: Criteria for Initiation and Termination of Drought Response Stages

The Board President or his/her designee shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan, that is, when the specified “triggers” are reached. The triggering criteria described below are based on known system capacity limits.

Alternative water source for FFWSC is purchased water.

Stage 1 Triggers – MILD Water Shortage Conditions

Requirements for Initiation

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses (defined in Section 7 Definitions) when the total daily water demand equals or exceeds .250 million gallons capacity for 3 consecutive days or .350 million gallons on a single day.

Requirements for Termination

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Stage 2 Triggers – MODERATE Water Shortage Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses (provided in Section 10) when the total daily water demand equals or exceeds .275 million gallons for a period of 3 consecutive days or .375 million gallons on a single day.

Requirements for Termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 2, Stage 1 or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 3 Triggers – SEVERE Water Shortage Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the total daily water demand equals or exceeds .300 million gallons for 3 consecutive days or .400 million gallons on a single day.



Requirements for Termination

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 3, Stage 2 or the applicable drought response stage based on the triggering criteria becomes operative.

Stage 4 Triggers – CRITICAL Water Shortage Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the total daily water demand equals or exceeds .325 million gallons for 3 consecutive days or .425 million gallons on a single day.

Requirements for Termination

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days. Upon termination of Stage 4, Stage 3 or the applicable drought response stage based on the triggering criteria, becomes operative.

Stage 5 Triggers – EMERGENCY Water Shortage Conditions

Requirements for Initiation

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 5 of this Plan when the President or his/her designee, determines that a water supply emergency exists based on:

1. Major water line breaks, or pump or system failures occur, which cause unprecedented loss of capability to provide water service; or
2. Natural or man-made contamination of the water supply source(s).

Requirements for Termination

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 3 consecutive days.

Section 9: Drought Response Stages

The Board President, or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and, in accordance with the triggering criteria set forth in Section 8 of this Plan, shall determine that a mild, moderate, severe, critical, emergency or water shortage condition exists and shall implement the following notification procedures:



Notification to the Public – The Board President or his/her designee shall notify the public by means of:

1. Publication in a newspaper or general circulation, online, and public service announcements,
2. Signs posted in public places

Additional Notification – the Board President or his/her designee shall notify directly or cause to be notified directly, the following individuals and entities:

1. City and or County Emergency Management Coordinators(s)
2. County Judge and Commissioner(s)
3. TCEQ (required when mandatory restrictions are imposed)
4. Major water users

Stage I Response – MILD Water Shortage Conditions

Target: Achieve a voluntary 10% reduction in total water use

Voluntary Water Use Restrictions for Reducing Demand:

- a. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with an even numbered street address and Saturdays and Wednesdays for customers with an odd numbered street address and to irrigate landscapes only between the hours of midnight and 10:00 a.m. and 8:00 p.m. to midnight on designated watering days.
- b. All operations of FFWSC shall adhere to water use restrictions prescribed for Stage 1 of the Plan.
- c. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 Response – MODERATE water Shortage Conditions

Target: Achieve a 15% in total water use.

Water Use Restrictions for Demand Reduction:

Under the threat of penalty for violation, the following water use restrictions shall apply to all persons:

- a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with even numbered street addresses and Saturdays and Wednesdays for water customers with odd numbered street addresses, and irrigation of landscaped areas is further limited to the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight on designated watering days. However, irrigation of landscaped areas is permitted at any



time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less or drip irrigation system.

- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight. Such washing, when allowed, shall be done with a hand-held bucket or a hand-held hose equipped with a positive nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety and welfare of the public is contingent upon frequent vehicle cleansing such as garbage trucks and vehicles used to transport food and perishables.
- c. Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools or Jacuzzi-type pools is prohibited except on designated watering days and designated times.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e. Use of water from hydrants shall be limited to firefighting, related activities or other activities necessary to maintain public health, safety and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from FFWSC.
- f. Use of water for the irrigation of golf course greens, tees and fairways is prohibited except on designated watering days and times. However, if the golf club utilizes a water source other than that provided by FFWSC, the facility shall not be subject to these regulations.
- g. All restaurants are prohibited from serving water to patrons except upon request of the patron.
- h. The following uses of water are defined as non-essential and are prohibited: 1) wash down of any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas, 2) use of water to wash down buildings or other structures for purposes other than immediate fire protection, 3) use of water for dust control, 4) flushing gutters or permitting water to run down or accumulate in any gutter or street and 5) failure to repair a controllable leak within a responsible period after having been given notice requiring the repair of such leak.



Stage 3 response – SEVERE Water Shortage Conditions

Target: Achieve a 20% reduction in total water use.

Water Use Restrictions for Demand Reduction:

All requirements of stage 2 shall remain in effect during stage 3 except:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 12:00 midnight and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets drip irrigation or permanently installed automatic sprinkler system only. The use of hose-end sprinklers is prohibited at all times.
- b. The watering of golf course tees is prohibited unless the golf course utilizes a water source other than that provided by FFWSC.
- c. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 Response – CRITICAL Water Shortage Conditions

Target: Achieve a 30% reduction in total water use.

Water Use Restrictions for Reducing Demand:

All requirements for Stages 2 and 3 shall remain in effect during Stage 4 except:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 a.m. and 10:00 a.m. and between 8:00 p.m. and 12:00 midnight and shall be by means of hand-held hoses, hand-held buckets or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash or commercial service station and not in the immediate interest of public health, safety and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 a.m. and 10:00 a.m. and between 6:00p.m. and 10:00 p.m.
- c. The filling, refilling or adding of water to swimming pools, wading pools and Jacuzzi-type pools is prohibited.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculation system.
- e. No application for new, additional, expanded or increased-in-size water service connections, meters, service lines, pipeline extensions, mains or water service facilities of any kind shall be approved, and time limits for approval of such applications are



hereby suspended for such time as this or higher drought response stage shall be in effect.

Stage 5 Response – EMERGENCY Water Shortage Conditions

Target: Achieve a 50% reduction in total water use.

Water Use Restrictions for Reducing Demand:

All requirements of previous Stages shall remain in effect during Stage 5 except:

- a. Irrigation of landscaped areas is absolutely prohibited.
- b. Use of water to wash motor vehicles, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Stage 6 Response – WATER ALLOCATION

In the event that water shortage conditions threaten public health, safety and welfare, the Board President is hereby authorized to allocate water according to the following water allocation plan:

Single-Family Residential Customers

The allocation for residential customers residing in a single-family dwelling shall be as follows:

Persons per Household	Gallons per Month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

“Household” means the residential premises served by the customer’s meter. “Persons per Household” includes only those persons currently physically residing at the premises and expected to reside there the entire billing period. It shall be assumed that a particular customer’s household is comprised of two (2) persons unless the customer notifies FFWSC of a greater number of persons per household on a form prescribed by the Board President. The Board President shall give his/her best effort to see that such forms are mailed, otherwise provided or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer’s responsibility to go to the FFWSC business office to complete and sign the form claiming more than two (2) persons per household. New



customers may claim more persons per household at the time of applying for water service on the service agreement. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify FFWSC on such form and the change will be implemented in the next billing cycle. If the number of persons in a household is reduced, the customer shall notify FFWSC, in writing, within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Board President shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly or with criminal negligence falsely reports the number of persons in a household or fails to timely notify FFWSC of a reduction in the number of persons in a household shall be fined not less than \$50.00.

Residential water customers shall pay the following surcharges: (Surcharges shall be cumulative)

- a. \$5.00 for the first 1,000 gallons over allocation
- b. \$5.50 for the second 1,000 gallons over allocation
- c. \$6.00 for the third 1,000 gallons over allocation
- d. \$6.50 for each additional 1,000 gallons over allocation

Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (apartments, mobile home parks) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter service served two dwelling units unless the customer notifies FFWSC of a greater number on a form prescribed by the Board President. The Board President shall give his/her best effort to see that such forms are mailed, otherwise provided or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the FFWSC business office to complete and sign the form claiming more than two (2) dwellings. New customers may claim more dwelling units at the time of applying for water service on the service agreement. If the number of dwelling units served by the master meter is reduced, the customer shall notify FFWSC, in writing, within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Board President shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly or with criminal negligence falsely reports the number of dwelling units or fails to timely notify FFWSC of a reduction in the number of dwelling units shall be fined not less than \$50.00.



Customers billed from a master meter under this provision shall pay the following monthly surcharges: (Surcharges shall be cumulative)

- a. \$5.00 for the first 1,000 gallons over allocation for each dwelling unit
- b. \$5.50 for the second 1,000 gallons over allocation for each dwelling unit
- c. \$6.00 for the third 1,000 gallons over allocation for each dwelling unit
- d. \$6.50 for each additional 1,000 gallons over allocation for each dwelling unit

Commercial Customers

A monthly water allocation shall be established by the Board President, or his/her designee, for each nonresidential commercial customer other than an industrial customer who uses water for processing purposes. The nonresidential customer's allocation shall be approximately 85% of the customer's usage for the corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used. Provided, however, a customer, 85% of whose monthly usage is less than 10,000, shall be allocated 8,500 gallons. the Board President shall give his/her best effort to see that the notice of each nonresidential commercial customer's allocation is mailed to each customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact FFWSC to determine the allocation. Upon request by the customer or at the initiative of the Board President, the allocation may be reduced or increased if 1) the designated period does not accurately reflect the customer's normal water usage, 2) one nonresidential commercial customer agrees to transfer part of its allocation to another nonresidential commercial customer or 3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation to the Board of Directors.

Nonresidential commercial customers shall pay the following surcharges: (Surcharges are cumulative)

Commercial customers whose allocation is 2,000 gallons through 10,000 gallons per month:

- a. \$5.00 for the first 1,000 gallons over allocation
- b. \$5.50 for the second 1,000 gallons over allocation
- c. \$6.00 for the third 1,000 gallons over allocation
- d. \$6.50 for each additional 1,000 gallons over allocation



Commercial customers whose allocation is more than 10,000 gallons per month:

- a. 2 times the block rate for each 1,000 gallons in excess of the allocation up through 5% above allocation
- b. 5 times the block rate for each 1,000 gallons from 5% through 10% above allocation
- c. 10 times the block rate for each 1,000 gallons from 10% through 15% above allocation
- d. 16 times the block rate for each 1,000 gallons more than 15% above allocation

As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Industrial Customers

A monthly water allocation shall be established by the Board President or his/her designee for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 80% of the customer's water usage baseline. The industrial customer's water usage baseline will be computed on the average water use for the 12-month period prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used. The Board President shall give his/her best effort to see that the notice of each industrial customer's allocation is mailed to the customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact FFWSC to determine the allocation and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Board President, the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water usage because the customer had shut down a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shut down or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to further reduce water use is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Board of Directors. Industrial customer shall pay the following surcharges: The surcharge shall be cumulative



Customers whose allocation is 2,000 gallons through 10,000 gallons per month:

- a. \$5.00 per thousand gallons for the first 1,000 gallons over allocation
- b. \$5.50 per thousand gallons for the second 1,000 gallons over allocation
- c. \$6.00 per thousand gallons for the third 1,000 gallons over allocation
- d. \$6.50 per thousand gallons for each additional 1,000 gallons over allocation

Customers whose allocation is greater than 10,000 gallons per month:

- a. 2 times the block rate for each 1,000 gallons in excess of the allocation up through 5% above allocation
- b. 5 times the block rate for each 1,000 gallons from 5% through 10% above allocation
- c. 10 times the block rate for each 1,000 gallons from 10% through 15% above allocation
- d. 16 times the block rate for each 1,000 gallons more than 15% above allocation

As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Section 10: Enforcement

No person shall knowingly or intentionally allow the use of water from FFWSC for residential, commercial, industrial, agricultural, governmental or any other purpose in a manner contrary to any provision in this Plan or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by the Board President or his/her designee in accordance with this Plan.

Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than five hundred dollars (\$500.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Board President or his/her designee shall, upon notification of the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a reconnection charge (\$30.00) and any other costs incurred by FFWSC in discontinuing service. In addition, suitable assurance must be given to the Board President that the same action shall not be repeated while the Plan is in effect. Compliance to this Plan may also be sought through injunctive relief in the District Court.

Any person, including a person classified as a water customer of FFWSC, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable



presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation committed by a minor occurred on property within the parent's control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she previously directed the minor to not use water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

Any employee of FFWSC, police officer or other County official designated by the Board President, may issue a citation to a person he/she reasonably believes to be in violation of this Plan. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the County court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of the violator or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in County court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in County court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of and arrest warrant. These cases shall be expedited and given preferential setting in County court before all other cases.

Section 11: Variances

The Board President or his/her designee, any, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that a failure to grant such variance would cause an emergency condition adversely affecting the health, safety, sanitation or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- a. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Plan shall file a petition for variance with FFWSC within 5 days after the Plan or a particular drought response has been



invoked. All petitions for variance shall be reviewed by the Board President or his/her designee and shall include the following:

- a. Name and address of the petitioner(s)
- b. Purpose of the water use
- c. Specific provisions of the Plan from which the petitioner is seeking relief
- d. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if the petitioner complies with the provisions of this Plan
- e. Description of the relief requested
- f. Period of time for which the variance is sought
- g. Alternative water-use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date
- h. Other pertinent information



APPENDIX B

Member Service Agreement



MEMBER SERVICE AGREEMENT

The undersigned (hereafter referred to as "Member"), being the person establishing service within the Flat Fork Rural Water Supply service area hereby makes application to FFWSC for water service and agrees to the following provisions:

1. Member shall purchase water service and one standard-sized water meter. Payment for this service and meter must accompany this application. Payment of said charges to accrue either on the date the undersigned connects service to the FFWSC's distribution system or no later than 30 days from the date written notice is delivered to the Member.
2. The water service supplied by the FFWSC shall be for the sole use of the Member and his/her household. The Member agrees that he/she shall not extend or permit the extension of pipes for the purpose of transferring water from one property to another nor will he/she resell of sub-metered water to any other person or entity. Each meter service shall supply water to only one residence and associated out buildings located on the real property of the Member.
3. **The minimum monthly charge to the Member for each month's water service is \$30.00. (See attached schedule for water usage rates). FFWSC may, from time to time, in its sole and absolute discretion, increase such minimum monthly charge.**
4. **FFWSC shall read your meter on or about the 22nd or 23rd of each month and will send bills out the 1st of each month. Payment of the current month's water bill is due by the 15th day of the month. Water bills not paid by the 15th day of the month shall be subject to a late charge of \$10.00. Failure to pay your water bill either in accordance with the Bylaws or within (40) days of the due date shall result in discontinuation of service. Payments shall be made by check, credit card or money order and mailed to Flat Fork Water, P. O. Box 957, Center, Texas, 75935 or delivered to 232 Tenaha St. *Cash will not be accepted***



5. If, after water service is made available, the same is discontinued or discounted for any purpose, pursuant to the Bylaws, Rules and Regulations of the FFWSC, reconnection shall be upon the conditions set out in the Bylaws, Rules and Regulations of the FFWSC.
6. The undersigned agrees that he/she shall provide easement for the water lines and necessary facilities to install a water meter, in, over, under and upon the real estate of the Member, granting the right to erect, construct, install and thereafter use, operate, inspect, repair, maintain, replace and extend water lines and water facilities, including the rights on ingress and egress, over, across and through the real estate of the Member for the purpose of installing and maintaining a water meter. The Member is responsible, at their own expense, for installation and maintenance of all water lines and other required equipment on the Member's property from the water meter.
7. If the FFWSC's Board of Directors should declare a water shortage at any location within the FFWSC's distribution system, the Member hereby acknowledges and consents to an allocation of water on such a basis as the Directors may deem equitable in the following order of priority uses: basic and necessary domestic uses, livestock watering purposes, lawn and garden purposes, all other purposes.
8. Cross connections shall not be permitted, nor shall there be any physical connection between any private water system and the Flat Fork Water Supply System unless written approval from the Board of Directors is provided. There shall be no physical connections between any extensions, hoses or holding tank reservoir for non-potable liquid, unless such connections is protected by a back-flow prevention device (installed at owner's expense) approved by the Texas Commission of Environmental Quality (TAC §290.44(h)(1)(A)). There shall be no connection or extension of water lines from inside the meter pit other than the direct hookup of the service line shall be permitted. Representatives of the FFWSC shall have the right at all reasonable hours to enter upon the Member's property for the purpose of inspection and enforcement of these provisions. Violation of these provisions shall constitute reason for disconnection of the Member's service and loss of membership fee. The Member shall allow his/her property to be inspected for possible cross-contamination and other



unacceptable plumbing practices. These inspections shall be conducted during the FFWSC's normal business hours. Further information concerning plumbing restrictions is in Attachment A.

9. The Member agrees to comply with the terms and provisions of this water use agreement as may be from time to time amended, and further agrees to comply with the Bylaws, Rules and Regulations of the FFWSC, as may from time to time be adopted and amended by the Board of Directors.

Member's Printed Name

Member's Signature

Date

Member's Address

Phone Number

Member's Mailing Address (if different from above)

Member's E-mail Address

Flat Fork Water Supply Representative

Date



Attachment A

The Flat Fork Water Supply Corporation is responsible for protecting the drinking water supply from contamination or pollution which could result from improper plumbing practices. The purpose of the following restrictions is to ensure proper practices to ensure public health and welfare. By signing this agreement, each member agrees to abiding by the following restrictions. Failure to abide by the following restrictions could result in termination of water service to the Member.

The following unacceptable plumbing practices are prohibited by State regulations:

1. No direct connection between the public drinking water supply and a potential source of contamination is permitted. Potential sources of contamination shall be isolated from the public water system by an air-gap or an approved backflow prevention device.
2. No cross-contamination between the public drinking water supply and a private water supply is permitted. These potential threats to the public drinking water supply shall be eliminated at the service connection by the installation of an air-gap or a reduced pressure-zone backflow prevention device.
3. No connection with allows water to be returned to the public drinking water supply is permitted.
4. No pipe or pipe fitting which contains more than 0.25% lead may be used for the installation or repair of plumbing at any connection which provides water for human use.
5. No solder or flux which contains more than 0.2% lead can be used for the installation or repair of plumbing at any connections which provides water for human use.

Flat Fork Water Supply System Contact Information:

Main Office: Elise Neuwirth, Office Administrator, (936) 590-6451

Main Office Address: 232 Tenaha St. Center, Texas

Mailing Address: P. O. Box 957, Center, Texas, 75935

Repair and Service: Matt DiVerdi, Operator, (936) 591-4346



SERVICE AGREEMENT METER INFORMATION

(To Be Attached To New Member Service Agreement)

Meter Serial Number: _____

Meter EID Number: _____

Account Number: _____

New Member Name: _____

Previous Member Name: _____

Amount Paid: _____ **Check Money Order Credit Card**

Date Paid: _____

Date of System Installation: _____

FFWSC Representative Signature

Date



Appendix C

Geographic Area Served

