

RULES AND REGULATIONS
OF
HAMILTON SOUTHEASTERN UTILITIES, INC.

SEWER

Hamilton Southeastern Utilities, Inc.
11901 Lakeside Drive
Fishers, Indiana 46038

Issued Pursuant to
Cause No. 44683
November 9, 2016
Indiana Utility Regulatory Commission
Water/Wastewater Division

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December 1, 2016
INDIANA UTILITY
REGULATORY COMMISSION

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DEFINITIONS:

The following words, as used in these Rules and Regulations, have the following respective meanings:

BIOCHEMICAL OXYGEN DEMAND (BOD) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 degrees C, expressed in milligrams per liter, as described in the latest edition of "Standard Methods for the Examination of Water and Wastewater."

COMMISSION means the Indiana Utility Regulatory Commission.

COMPANY means HAMILTON SOUTHEASTERN UTILITIES, INC., an Indiana corporation, having its general offices at 11901 Lakeside Drive, Fishers, Indiana 46038 ("Company Office"), its successors and assigns, said Company being engaged in the business of rendering sanitary sewage disposal service to the public.

CUSTOMER means any person, firm, corporation, association, municipality or other governmental agency which has agreed, orally or otherwise, to pay for sewage disposal service rendered, or caused to be rendered, by the Company; provided that pursuant to certain limitations of the Rules and Regulations of the Indiana Utility Regulatory Commission, the word "customer" might be limited to mean persons who have agreed to pay for such service exclusively for residential purposes.

DISCONNECTION means the termination or discontinuance of sewage disposal service by insertion of a pneumatic plug into the Customer's lateral.

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FOG means all Fats, Oils and Grease, Petroleum Products and By-Products. FOG includes Fats, Oils and Grease as found in food service facilities, including, but not limited to, any substance such as vegetable or animal product that is used in, or is a by-product of, the cooking or food preparation process and the cleaning thereof, and that turns or may turn viscous or solidified with a change in temperature or other conditions. FOG also includes Petroleum, Oils and Grease as found in auto or marine service facilities including, but not limited to, any substance such as petroleum oil, non-biodegradable cutting oil or products of mineral oil origin that is used in, or is a by-product of an automotive or marine service process. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as amended.

FOG FACILITY means any non-residential Customer or combination of Customers utilizing the same pretreatment device which uses or generates FOG.

FOG PRETREATMENT DEVICE means oil-water separators, grease traps and grease interceptors.

GREASE INTERCEPTOR means an outdoor, watertight receptacle utilized to intercept, collect, and restrict the passage of grease and food particles into the sanitary sewer system to which the receptacle is directly or indirectly connected, and to separate and retain grease and food particles from the wastewater discharged by a facility. An interceptor shall have a capacity of at least 1,000 gallons to serve one or more fixtures.

GREASE TRAP means an indoor, watertight receptacle utilized to intercept, collect and restrict the passage of grease and food particles into the sanitary sewer system to which the receptacle is directly or indirectly connected, and to separate and retain grease and food particles from the wastewater discharged by a facility.

INFILTRATION means rainwater, groundwater or springs that enters the sanitary sewer collection system after filtering through the ground. It also includes clear water from mechanical and air conditioning units such as condensation and cooling water. Infiltration sources include cracks in sewage pipes or manholes, and building foundation drains illegally connected to the sanitary sewer.

INFLOW means rainwater that enters the sanitary sewer system directly. Inflow sources include downspouts, street storm systems, and sump pumps that pump directly to the sanitary sewer collection system.

LATE PAYMENT CHARGE means the one time penalty assessed by the Company upon all current bills at such time as they become delinquent.

LATERAL OR LATERAL STUB means the pipe which runs from the customer's premises to the sewer main or interceptor sewer which receives sewage from the customer's premises.

OIL-WATER SEPARATOR means a device which utilizes the difference in density between oil, petroleum products or chemical products, and water for removal.

PREMISES means a tract of land or real estate, including buildings or other appurtenances thereon.

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SERVICE MAIN OR INTERCEPTOR SEWER means sewerage pipe owned, operated or maintained by the Company which is used to transport sewage, but does not include lateral or lateral stub."

SEWAGE DISPOSAL SERVICE means any utility service whereby liquid and solid waste, sewage, night soil and industrial waste (except as limited by the Rules and Regulations of the Commission) of any single territorial area is collected, treated, purified and disposed of in a sanitary manner; includes all sewage treatment plant or plants, main sewers, outfall sewers, force mains, pumping stations, ejector stations and all other equipment and appurtenances necessary or useful and convenient for the rendition of such service.

TOTAL SUSPENDED SOLIDS (TSS) means total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater or other liquid, and that is removable by filtering as prescribed in the latest version of the "Standard Methods for the Examination of Water and Wastewater."

A WYE means a fitting owned by the Company inserted in the sewer main or interceptor sewer to which the lateral service pipe is connected.

The pronoun HIM includes "her" and, where appropriate, the singular includes the plural, the plural includes the singular. The masculine includes the feminine and neuter. Where applicable, "HIM" includes any corporation, partnership or other entity constituting a customer.

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ADOPTION:

The following Rules and Regulations for the operation of the sanitary sewage disposal service system of HAMILTON SOUTHEASTERN UTILITIES, INC. and its successors and assigns, have been adopted, subject to subsequent amendment, addition, deletion and changes as may be necessary, from time to time, to meet the needs of the Company and shall be a part of the contract with every person who uses the sanitary sewage disposal service supplied by said Company in any of its sanitary sewage disposal service areas, and every such person, by accepting such service, shall be conclusively presumed to have knowledge thereof and to have expressed his consent to be bound thereby.

INDIANA UTILITY REGULATORY COMMISSION RULES AND REGULATIONS:

Where applicable, the rules, regulations and standards of service for utilities rendering sewage disposal service in Indiana as adopted by the Commission will be referenced in this document by the term, "Standards of Service."

NOTICE:

Copies of all schedules of rates for service, charges for service connections and extensions, and of all Rules and Regulations covering the relationship between the customer and the sewage disposal company shall be filed by the Company in the office of the Commission. Complete schedules, rules and regulations, etc. shall also be on file in the office of the Company and shall be open to the public. The attention of the public shall be called to these files of schedules, Rules and Regulations, by placing a suitable placard in that part of the Company Office open to the public.

CONTRACT:

Rule 1. A contract for sewer service in the form prescribed by Company must be executed by each customer before Company renders service to the customer. Thereafter, the customer executing such contract shall be liable for and shall pay for all services rendered under the terms of said contract unless and until Company shall release him from the terms thereof. All charges for services are the personal liability of the customer and his moving from one property or location to another does not in any manner affect or limit his liability for charges incurred at a previous location. The Company may discontinue any customer's service for failure to pay any unpaid charges transferred from a previous location if such bill has remained unpaid for more than 45 days.

Rule 2. No promises, agreements or representations of any agent, employee or authorized representative of the Company shall be binding upon the Company unless the same shall have been incorporated in all copies of a written contract before such contract is signed by Company.

Rule 3. Unless a contract for sewer service to the premises has been executed, sewage may not be emitted from the premises into Company's system. Anyone violating this rule shall be required to pay Company its monthly service charge for any month, or fraction thereof, that sewage was emitted from the said premises into Company's system and to reimburse Company for all expenses incurred by it in terminating such unauthorized use of its system.

Rule 4. The sewage service furnished under any contract between Company and customer is for the use of the customer on his designated premises, and shall not be resold or extended by customer to serve additional lots, premises or improvements.

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Rule 5. Sewer service shall be rendered to all customers of Company on a non-discriminatory basis in accordance with the rates and charges attached hereto, made a part hereof and filed with the Commission or such rates in effect at the time such service is rendered. No change shall be made in the said rates or charges until after such charge has been approved by the Commission.

Rule 6. Multiple family users shall pay the prescribed residence fee for each family unit served.

Rule 7. Any contractor, builder or developer shall be liable for the minimum monthly charge from 90 days after Premises receives its sewer connection permit from Company until notification of occupancy, if such contractor, builder or developer fails to notify Company of such occupancy, unless the Company provides otherwise.

Rule 8. The Company shall not be obligated to receive for treatment or disposal any material except sewage defined in the Commission's Rules and Regulations of Service for Utilities Rendering Sewage Disposal Service in Indiana.

DEPOSITS:

Rule 9. The Company may require a reasonable deposit from the customer to secure payment of charges for services if Company determines that customer or applicant does not meet the criteria for creditworthiness.

Rule 10. The Company shall determine the creditworthiness of an applicant or customer, pursuant to 170 IAC 8.5-2-3, in an equitable and non-discriminatory method without regard to the economic character of the area (or any part thereof) where the

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applicant resides and shall determine the creditworthiness solely upon the credit risk of the individual without regard to the collective reputation of the area in which he lives.

Rule 11. Such deposit, if required, may not exceed an amount equal to 1/6 of the expected annual billings for the customer at the address at which service is rendered. In the event the required deposit is in excess of \$70.00, the Company shall advise the customer that he may make such deposit in equal installment payments over a period of up to eight (8) weeks, except where such deposit is required as a result of a disconnection for nonpayment, in which case full payment of the deposit may be required before reconnection. If the Company denies service or requires a cash deposit as a condition of providing service, then it must immediately notify the applicant in writing stating the precise facts upon which it based its decision and provide the applicant with an opportunity to rebut such facts and show other facts demonstrating his creditworthiness as provided under 170 IAC 8.5-2-3.

Rule 12. Deposits held more than twelve (12) months shall earn interest from the date of deposit at the rate of six (6) percent per annum or at such rate as the Commission may prescribe. The deposit shall not earn interest after the date it is mailed or personally delivered to the customer or otherwise lawfully disposed of.

Rule 13. Any deposit and accrued interest shall be refunded promptly along with a statement of accounting for each transaction involving the deposit and interest, without request by the customer, upon satisfactory payment by the customer for a period of nine (9) successive months, or ten (10) out of any twelve (12) consecutive months; provided the customer did not make late payments for any two consecutive months, or upon the customer demonstrating his creditworthiness.

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Following a customer requested termination of service, the Company shall apply the deposit plus accrued interest to the final bill, or upon the specific request of the customer, the Company shall refund the deposit plus accrued interest within fifteen (15) days after payment of the final bill. The Company shall maintain a record of each applicant or customer making a deposit. Each customer shall be provided a written receipt from the Company at the time his deposit is paid in full or when he makes a cash partial payment. Refund of the deposit and interest shall be made upon surrender of the deposit receipt or, in case the receipt is lost, by the execution by the depositor or proper representative of an affidavit sufficient to show that he is the person entitled to the deposit and interest.

BILLING:

Rule 14. Bills shall be rendered by the Company monthly and such bills shall contain the following information:

- (a) The date of the bill, and the time period for which the bill is rendered.
- (b) The amount of the bill.
- (c) The previous balance, if any.
- (d) The sum of the amount of the bill and the late payment charge, if any.
- (e) The date on which the bill becomes delinquent and on which a late payment charge will be added to the bill.
- (f) A statement informing the customer of the seventeen (17) day non-penalty period.
- (g) An explanation of all the codes and/or symbols.

Rule 15. A sewage disposal service bill which has remained unpaid for a period of more than seventeen (17) days following the mailing of the bill shall be a delinquent bill. Failure to receive a bill shall not excuse a customer from paying the monthly sewage rate.

Rule 16. The billing period for sewage service shall be monthly, and any unused portion of the quantity of service allowed for the minimum charge may not be transferred or refunded.

Rule 17. The bill shall be rendered as a net bill. If the net bill is not paid within seventeen (17) days after the bill is mailed, it shall become a delinquent bill and a late payment charge may be added in the amount of ten (10) percent of the first three (3) dollars and three (3) percent of the excess of three (3) dollars.

Rule 18. Payment shall be made directly to the Company or by electronic payment, and must be received by the Company on or prior to the due date to avoid late charges. Payment to any other person or entity does not constitute payment.

Rule 19. There will be no abatement of charges in whole or in part because of the extended absence of a customer or for any other cause, unless the Company has been notified in writing at the Company Office to discontinue service no less than 72 hours before such service is to be discontinued.

Rule 20. The Company may estimate the bill of any customer whose sewage bill is based on metered water service pursuant to a billing procedure approved by the Commission or for other good cause, including, but not limited to: request of the

customer; inclement weather; labor or union disputes, inaccessibility of a customer's meter if the Company has made a reasonable attempt to read it, and other circumstances beyond control of the Company.

METERS:

Rule 21. Company shall furnish sewage disposal service to all residents in its service area for residential purposes, on an unmetered basis, but it reserves the right to meter the flow from any residence if it suspects that waste from sources other than residential, or sources not covered by a service contract are being allowed to enter Company's system. For all customers other than residential, Company shall have the right to install a sewage meter and collect monthly sewage disposal charge, based on the volume of sewage emitted monthly. Where Company's sewage customers purchase water from other utilities on a metered basis, an agreement has been reached with such utility Company for the use of such meter, to determine monthly sewage flow, customer shall make such meter available for reading on a regular basis.

Rule 22. When meters are used, they will be set or changed on the customer's premises after customer has caused the installation of a meter vault, in accordance with plans and specifications approved by Company. Such vault shall include an access hatch no smaller than 24" square with a locking device. Any refusal by customer to agree to a meter or meter vault installation or the location thereof, shall, at the option of the Company, be sufficient reason to refuse sewage disposal service to such customer until such requirements are met. When used the meter will be furnished by the Company and shall remain the property of the Company at all times.

Rule 23. Ordinary repairs to meters will be made by the Company without expense to the customer. Repairs to meters made necessary because of customer's negligence

shall be made by Company, but the cost of such repairs shall be charged to the customer, and his failure to pay therefore shall subject him to the penalties provided herein for failure to pay service charges.

Rule 24. When metering devices are used to determine sewage flows, Company reserves the right of type and brand selection.

Rule 25. Company, at its option, and with the approval of the Commission, may measure the flow of sewage by the use of: (1) water meter of another utility, or (2) the installation of its own water meter for such purpose.

Rule 26. All meters shall be protected from frost by customer and shall be kept readily accessible for inspection and reading by Company's representatives.

Rule 27. Properly identified Company personnel shall have access to customers' premises at all reasonable times to read meters, to inspect Company's property, to check for unsafe conditions, and for all other purposes connected with rendering sanitary sewage disposal service.

Rule 28. In the event the customer's service is interrupted for a reason other than the act of the customer or the condition of customer controlled equipment, and the service remains interrupted for more than two (2) days after being reported or found to be out of order, appropriate adjustments or refunds shall be made to the customer.

Rule 29. All other billing errors, including incorrect tariff applications, may be adjusted to the known date of error or for a period of one (1) year, whichever period is shorter. If any water meter on which a sewage bill is based shall be found to have a percentage of error greater than two percent (2%), adjustments to the bills will be made pursuant to 170 IAC 8.5-2-2.

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DISCONNECTION OF SERVICE:

Rule 30. The customer shall notify the Company at least three (3) days in advance of the day disconnection is desired. The customer shall remain responsible for all service used and the billings therefore until the service is discontinued pursuant to such notice. The customer shall not be liable for any service rendered to such location after the expiration of those three (3) days.

Rule 31. The Company may disconnect service without request by the customer and without prior notice only:

- (a) if a condition dangerous or hazardous to life, physical safety or property exists; or
- (b) upon order by any court, the Commission or other duly authorized public authority; or
- (c) if fraudulent or unauthorized use of sewage disposal service is detected and the Company has reasonable grounds to believe the affected customer is responsible for such use; or
- (d) if the Company's regulating or measuring equipment has been tampered with, and the Company has reasonable grounds to believe that the affected customer is responsible for such tampering.

Rule 32. The Company, upon providing notice as provided in Rule 42, may disconnect service, subject to provisions of the Standards of Service, for the following reasons:

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- (a) For failure to pay any bill or charge when it is due.
- (b) For failure to provide free and non-hazardous access to the property, including interior structures, so that representatives of the Company may take meter readings, make all necessary inspections including those necessary for determining clear water sources, maintain, replace, or remove any of the Company's facilities.
- (c) For placing or permitting any deleterious substance to enter the sewer system that will adversely affect the ordinary treatment of the sewage in the treatment plant or adversely affect Company facilities after such action has been called to the attention of customer.
- (d) For intentionally interfering with, damaging or destroying any sewage disposal facilities belonging to Company.
- (e) For installing new pipe and fittings or altering or removing existing pipe or fittings without a permit from the Company.
- (f) For violation of the Inflow and Infiltration Reduction rules.
- (g) For violation of any other Rules and Regulations or any amendments thereof.

Rule 33. Discontinuation of service by order of the Indiana Board of Health, the Commission or by order of any other agency having jurisdiction over the Company for reasons not under the control of the Company shall not invalidate any contract with a

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customer and the Company shall have the right to enforce any contract notwithstanding such discontinuance.

Rule 34. Except for disconnections without notice as provided in Rule 31, the Company shall postpone the disconnection of service for ten (10) days if, prior to the disconnect date specified in the disconnect notice, the customer provides the Company with a medical statement from a licensed physician or public health official which states that a disconnection would be a serious and immediate threat to the health or safety of a designated person in the household of the customer. The postponement of disconnection shall be continued for one additional ten (10) day period upon the provision of an additional such medical statement.

Rule 35. The Company may not disconnect service to a customer: (a) upon his failure to pay for the service rendered at a different metered point, residence or location if such bill has remained unpaid for less than forty-five (45) days; or (b) upon his failure to pay for services to a previous occupant of the premises to be served, unless the Company has good reason to believe the customer is attempting to defraud the Company by using another name; or (c) upon his failure to pay for a different form or class of sewage disposal service.

Rule 36. The Company may not disconnect service to the customer if he shows cause for his inability to pay the full amount due (financial hardship shall constitute cause) and (a) the customer pays a reasonable portion (not to exceed \$10 or one tenth of the bill, whichever is less, unless the customer agrees to a greater portion) of the bill; and (b) he agrees to pay the remainder of the outstanding bill within three (3) months; and (c) he agrees to pay all undisputed future bills for service as they become due, and (d) he has not breached a similar agreement with the Company made pursuant to this rule within the

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past twelve (12) months. Such agreement shall be put in writing and signed by the customer and a representative of the Company. The Company will only require payment of one late payment charge by customers who enter such written agreement.

Rule 37. If a customer is unable to pay a bill, which is unusually large due to prior incorrect reading of the meter, incorrect application of the rate schedule, incorrect connection or functioning of the meter, prior estimates where no actual reading was taken for over two (2) months, stopped or slow water meter, or any human or mechanical error of the Company and the customer (a) pays a reasonable portion of the bill, not to exceed an amount equal to the customer's average bill for the twelve bills immediately preceding the bill in question, and (b) agrees to pay the remainder at a reasonable rate, and (c) agrees to pay all undisputed future bills for service as they become due, provided such agreement is reduced to writing and signed by the customer and a representative of the Company.

Rule 38. The Company shall not add to the outstanding bill referred to in the preceding rule any late fee.

Rule 39. If a customer proceeds with a dispute pursuant 170 IAC 16-1-3, the Company will disconnect only as provided by 170 IAC 8.5-2-4.

Rule 40. The Company shall disconnect service only between the hours of 8:00 a.m. and 3:00 p.m., prevailing local time. Disconnections pursuant to Rule 31 are not subject to this limitation.

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Rule 41. The Company shall not disconnect service for nonpayment on any day in which the Company Office is closed to the public, or after 12:00 o'clock noon of the day immediately preceding any day when the Company Office is not open to the public.

Rule 42. Except as otherwise provided by these rules, service to any residential customer shall not be disconnected for a violation of any rule or regulation of the Company or for the nonpayment of a bill, except after seven (7) days prior written notice to the customer by either (a) mailing the notice to such residential customer at the address shown on the records of the Company; or (b) personal delivery of the notice to the residential customer or a responsible member of his household at the address shown on the records of the Company. No disconnect notice for nonpayment may be rendered by the Company prior to the date on which the account becomes delinquent.

Rule 43. The language of a disconnect notice will be clear, concise, and easily understandable to a layman and shall state in separately numbered large type or printed paragraphs:

- (a) The date of the proposed disconnection.
- (b) The specific actual basis and reason for the proposed disconnection.
- (c) The telephone number of the Company Office at which the customer may call during regular business hours in order to question the proposed disconnection or seek information concerning his rights.
- (d) A reference to the pamphlet or copy of the rules furnished to the customer pursuant to 170 IAC 8.5-2-6.

Rule 44. Immediately preceding the actual disconnection of service, the employee or authorized representative of the Company designated to perform such function shall make a reasonable attempt to identify himself to the customer or any other responsible person then upon the premises and shall make a record thereof to be maintained for at least thirty (30) days.

Rule 45. The employee or authorized representative shall have in his possession information sufficient to enable him to inform the customer or other responsible person of the reason for the disconnection, including the amount of any delinquent bill of the customer, and shall request from the customer any available verification that the outstanding bill has been satisfied or is currently in dispute pursuant to review under the Commission's rules. Upon the presentation of such credible evidence, service shall not be disconnected.

Rule 46. The employee or authorized representative shall not accept payment from the customer or other responsible person in order to prevent the service from being disconnected. The customer shall make payment to the Company at its offices or electronically in order to prevent the service from being disconnected, and the customer shall be so informed.

Rule 47. When the employee or authorized representative has disconnected the service, he shall give to a reasonable person on the premises, or if no one is at home, shall leave at a conspicuous place on the premises, a notice stating that service has been disconnected and stating the address and telephone number of the Company where the customer may arrange to have the service reconnected.

RECONNECTION:

Rule 48. The Company will charge a reasonable reconnection charge—as approved by the Commission and identified in the Company’s tariff. If the Company disconnects service in violation of the rules approved by the Commission, the service shall immediately be restored at no charge to the customer.

Rule 49. If the conditions, circumstances or practices which caused the disconnection have been corrected, and the payment of all delinquent and reconnection charges owed the Company by the customer and any deposit required by these Rules have been made, the Company shall reconnect the service to the customer as soon as reasonably possible, but at least within five (5) working days after requested, if conditions permit.

Rule 50. Customer shall give Company access to the premises during the regular and customary business hours for the purpose of reinstalling a service and inspecting for correction of clear water sources, and Company shall not be required to perform such work at other than customary business hours.

CUSTOMER COMPLAINTS:

Rule 51. A customer may bring a dispute to Company’s attention by any of the following means:

- (a) by telephone.
- (b) in writing.
- (c) through Company’s website.
- (d) at the Company Office.

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Rule 52. Company shall take the following actions with regard to each dispute:

- (a) Inform the customer that any portion of a bill that is undisputed must be paid by the date due stated on the bill in order to avoid disconnection of service.
- (b) Investigate the matter promptly and thoroughly.
- (c) Make a good faith effort to resolve the matter.
- (d) Company will notify customer of Company's proposed resolution by any of the following methods:
 - (i) telephone;
 - (ii) written notice mailed to the customer's billing address;
 - (iii) email;
 - (iv) or any other means reasonably calculated to reach the customer.
- (e) Company will notify customer that if the customer is not satisfied with the proposed resolution, the customer may submit an informal complaint to the Commission's consumer affairs division within seven (7) days of the date the proposed resolution is received by customer.
- (f) Company will provide, upon request by customer, the following consumer affairs division information: mailing address; toll free complaint number; and local telephone number.
- (g) Company shall make records available upon request by the Commission if an informal complaint has been submitted by a customer.

Rule 53. An informal complaint submitted by a customer to the Commission's consumer affairs division shall be subject to the review process detailed in 170 IAC 16-1-5.

Rule 54. Company and customer have the right to request Commission review of a consumer affairs division decision in accordance with 170 IAC 16-1-6.

Rule 55. If a customer receiving service has paid and continues to pay all undisputed charges, Company will not disconnect any service related to the disputed charges: 1) while Company's proposed resolution is under review by the Commission or the consumers affairs division; or 2) sooner than ten (10) days after a decision by the Commission or consumer affairs division.

Rule 56. If Company and a customer cannot agree what portion of the charges in a bill is undisputed, to avoid disconnection, the customer should pay on the disputed bill an amount equal to one-twelfth (1/12) of the estimated annual billing for service to be rendered to the customer. If the customer has been a customer of Company for at least twelve (12) months, the estimate will be based on the customer's average bill for the twelve (12) months immediately preceding the disputed bill.

Rule 57. Company shall retain records of any dispute received and the resolution thereof for a period of six (6) months from the date of final resolution of the dispute. The records shall include the following:

- (a) The customer's name.
- (b) The customer's service address.
- (c) The telephone number at which the customer may be contacted, if available.

- (d) The customer's account number.
- (e) The general nature of the dispute.

Rule 58. Company shall submit a report annually to the Commission that states and classifies the number of complaints made to Company, the general nature of each complaint, how each complaint was received, and whether Commission review was conducted thereon.

Rule 59. Any computation of time prescribed by this Customer Complaint section shall be done in accordance with 170 IAC 16-1-3.

INFORMATION PROVIDED BY THE COMPANY TO APPLICANTS AND CUSTOMERS:

Rule 60. The Company will publish and distribute, without request, to all applicants for service and to all current customers, a copy of Commission rules 170 IAC 8.5-2-1 through 170 IAC 8.5-2-6 and 170 IAC 16-1-3.

Rule 61. The Company shall supply free of charge a copy of the rate schedules applicable to the types of service available to new applicants for and existing customers of residential service, upon request by the applicant or customer.

Rule 62. Whenever the Company petitions the Commission for a change in any of its base rate schedules, Company shall furnish within forty-five (45) days of such request and prior to the date of the public hearing a notice which fairly summarizes the nature and extent of the proposed changes.

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Rule 63. The Company shall maintain up-to-date maps, plans or records of its entire force main and collection systems, with such other information as may be necessary to enable the Company to advise prospective customers, and others entitled to the information, as to the facilities available for serving any locality. The Company shall file with the Commission the name, title, address and telephone number of the person who should be contacted in connection with: general management duties, customer relations (complaints), engineering operations and emergencies during non-office hours. The above information is also maintained on the Company's Web site.

INTERRUPTION OF SERVICE:

Rule 64.

(a) Whenever the service is intentionally interrupted for any purpose, such interruption shall, except in emergencies, be at a time during regular working hours of the Company which will cause the least inconvenience to customers. Customers who will be affected by such interruption shall, to the extent practical, be notified in advance.

(b) Company shall keep a record of any interruption of service affecting its entire system or a major division thereof, including a statement of time, duration, extent and cause of the interruption.

(c) The Company shall give notice to the Commission of accidents pursuant to 170 IAC 8.5-3-5.

(d) The Company shall adopt a safety program pursuant to 170 IAC 8.5-3-6.

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SERVICE PIPE CONNECTIONS:

Rule 65. (a) The Company shall install, maintain and replace if necessary the portion of the lateral or lateral stub from the sewer main or interceptor to the Customer's side of the boundary line of the easement, public road or street under which such lateral or lateral stub may be located, except as subsequently provided. The Customer shall "rod" and otherwise clean the Company's portion of the lateral or lateral stub serving the Customer in the event the same becomes clogged or blocked as a result of debris or waste entering such lateral or lateral stub from the Customer's premises, as a result of Customer's actions.

The Company shall not be responsible for damage caused by tree roots. The Company may bill the Customer, developer, governmental entity, homeowner's association, business owner, or similar entity responsible for planting or placing the tree(s) or causing the planting or placing of the tree(s) for the cost of repairs to the Company's portion of the lateral due to damage caused by tree roots.

The Company shall not be responsible for replacing any buildings, or obstruction (other than ground cover and pavement in a public street or road), parking areas, signage, walls, landscaping, irrigation systems, common areas, or similar obstructions or facilities placed over the Company's portion of the lateral.

The Customer shall install, maintain and replace if necessary that portion of the lateral or lateral stub from the end of the Company's portion into the Customer's premises (or point of use).

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(b) Requirements for Customer's lateral or lateral stub. The portion of the lateral or lateral stub from the end of the Company's portion to the Customer's premises (or point of use) and all appurtenances shall be constructed of materials approved by the Company and be installed and repaired by a contractor approved by the Company. A list of approved contractors is maintained on the Company's website and at the Company's Offices. It shall be Customer's responsibility to maintain his lateral or lateral stub and appurtenances in good operating condition.

Rule 66. If a customer requests for his convenience or by his actions requires that Company facilities be redesigned, reengineered, relocated, removed, modified or reinstalled, the Company may require the customer to make payment to it of the full cost of performing such service.

EXTENSION OF SEWER LINES:

Rule 67.

(a) An applicant desiring a main extension shall make written requests for same to the Company and shall execute a written Special Contract for Extension of Sewer Mains and Facilities ("Extension Agreement") on forms provided by the Company and shall make any initial deposits or payments required thereby prior to the commencement of construction. All provisions of the Extension Agreement, including all payments or guarantees of payments in excess of the Company's investment, shall be in accordance with this Rule No. 67 and the practices of the Company with regard to extensions and the Rules and Regulations for such extensions as approved by the Commission in force at the time the Extension Agreement is executed, including any special contract provisions.

(b) The Company will install main extensions utilizing the services of its employees or agents or through the Utilities contracting with others for such services. All mains ordinarily will be installed in easements dedicated to the Company. The applicant shall obtain, on the Company's forms, from the property owner or owners, and deliver to the Company prior to the commencement of construction, the necessary consent to, or easement for, the installation and maintenance in, on, over, or through the private property affected, of all mains or other equipment that may be necessary or convenient for the supplying of service.

(c) The applicant shall pay the cost of the main extension and tax associated with the cost of the main extension and retain all the rights to receive refunds based on subsequent connections as provided in this Rule No. 67 and in the Commission's Rules and Regulations in effect at the time the Extension Agreement is executed.

(d) The tax associated with the cost of the main extension referred to in subsection (3) above shall include all federal income taxes, state supplemental net income taxes and state gross income taxes. If the applicant transfers ownership of installed mains or other property to the Company in lieu of paying cash, the tax associated with the cost of the main extension shall be based on the amount included in the Company's taxable income as a result of the transfer. The aforementioned tax shall be fully grossed-up to include the taxes on all amounts paid by the applicant, including amounts representing taxes.

Rule 68. All laterals or lateral stubs not constructed by Company and all wyes or connections to Company's sewer mains or interceptor sewers shall be made only in accordance with plans and specifications approved by Company, and shall include such appurtenances and facilities as Company may require. Any such connection shall be

made only under direct authority from, and supervision by, an officer of the Company or an employee or authorized representative designated by Company for such purpose. All cleanouts or inspection pipes shall be installed at the expense of the Customer.

Rule 69. No person shall do any form of work on or in connection with lines or facilities owned by Company until he has received a permit from Company to do such work.

Rule 70. All wyes, laterals or connections to the Company's sewer mains or interceptor sewers must be inspected. A minimum notice to Company of five (5) business days will be required prior to making inspection, said inspection to be made during the Company's normal working hours. No underground work shall be covered until Company has inspected and approved same. Company shall have the right to charge a connection fee, as set out in the tariffs on file with the Commission, for its services in processing each application and making each inspection. Before requesting an inspection of the making of a tap, the sewer contractor shall have the work in such state that the inspection or tap can be inspected at the scheduled time. No tap or temporary lateral end cap removal shall occur unless a representative of Company or a person authorized by Company is present.

Rule 71. Any repairs or maintenance required to the lateral or lateral stub owned by customer is the sole responsibility of Customer. All repairs and maintenance will be performed by a contractor approved by the Company and subject to the Company's plans and specifications and inspection by the Company or an authorized representative of the Company.

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Rule 72. All pipe and equipment owned by Company, which may at any time be on or in the Customer's premises, shall, unless otherwise expressly provided, be and remain the property of the Company and the Customer shall protect such property from loss or damage, and no one who is not an agent of Company shall be permitted to remove such property or tamper therewith. All persons are forbidden to cover up or in any way tamper with any manhole or facility owned by Company.

Rule 73. Connections between septic tanks and the Company's sewer lines shall not be permitted.

SEWER RESTRICTIONS:

Rule 74. No person(s) shall discharge or cause to be discharged any unpolluted waters such as stormwater, groundwater, roof runoff, subsurface drainage, sump pump discharge or cooling water to the Company's sanitary sewer system.

Rule 75. Stormwater and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the appropriate regulatory agencies.

Rule 76. No person(s) shall discharge or cause to be discharged any of the following described waters or wastes to the Company's sanitary sewers:

- (a) Any gasoline, benzene, naptha, fuel oil or other flammable or explosive liquid, non-biological solid, gas or other substances deemed hazardous or harmful to human health or the integrity of the sanitary collection system and its mechanical components.

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(b) Any waters containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the wastewater treatment plant.

(c) Any waters or waste having a pH lower than 6.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater works.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the wastewater facilities such as, but not limited to, ashes, bones, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, non-biodegradable flushables, disposable cleaning pads, etc., either whole or ground by garbage grinders.

Rule 77. The following described substances, materials, waters or waste shall be limited in discharge to concentrations or quantities which will not harm either the Company's sanitary sewers, wastewater treatment process or equipment, will not have an adverse effect on the receiving stream or will not otherwise endanger lives, limb, public property or constitute a nuisance. The Company may set limitations lower than the limitations established in the regulations below if in its opinion such more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Company will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials or construction of

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the sewers, the wastewater treatment process employed, capacity of the wastewater treatment plant, degree of treatability of the waste in the wastewater treatment plant and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the Company's sanitary sewer which shall not be violated without approval of the Company are as follows:

- (a) Wastewater having a temperature higher than 150° Fahrenheit (65° Celsius).
- (b) Wastewater containing more than 25 milligrams per liter of petroleum oil, non-biodegradable cutting oils, or product of mineral oil origin.
- (c) Non-residential Fats, Oils and Greases (FOG) in concentrations greater than 150 mg/L.
- (d) Wastewater with a Biochemical Oxygen Demand (BOD) concentration greater than 250 mg/L.
- (e) Wastewater with a Total Suspended Solids (TSS) concentration greater than 300 mg/L.
- (f) Any garbage that has not been properly shredded, including wastes from the handling, preparation, cooking, serving and dispensing of food that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than 1/2 inch (1.27 centimeters) in any dimension.
- (g) Any waters or wastes containing iron, chromium, copper, zinc, and similar objectionable or toxic substances to such degree that any such material received in the composite wastewater at the wastewater treatment works exceeds the limits established by the Company for such materials.

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(h) Any waters or wastes containing odor-producing substances exceeding limits which may be established by the Company.

(i) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Company in compliance with applicable state or federal regulations.

(j) Quantities of flow, concentrations, or both which result in any discharge of water or wastewater which in concentration of any given constituent or in any quantity of flow exceeds for any period of duration longer than Fifteen (15) minutes more than Five (5) times the average Twenty four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

(k) Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment process employed, or are amenable to treatment only to such degree that the wastewater treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(l) Any water or wastes which, by interaction with other water or wastes in the public sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes.

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(m) Any waters or wastes having: (i) a five (5) day biochemical oxygen demand greater than 220 parts per million weight, or (ii) containing more than 220 parts per million weight or suspended solids.

Rule 78. If any waters or wastes are discharged or are proposed to be discharged to the Company's sanitary sewers, which waters contain the substances or possess the characteristics enumerated in Rule 77 and which in the judgment of the Company may have a deleterious effect upon the wastewater facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Company may:

- (a) Reject the wastes;
- (b) Require pretreatment to an acceptable condition for discharge to the sanitary sewers;
- (c) Require control over the quantities and rates of discharge; and/or
- (d) Require payment to cover added cost of handling and treating the wastes not covered by existing rates or sewer charges.

If the Company permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the review and approval of the Company.

Rule 79. Where pretreatment or flow equalizing facilities are provided or required for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner(s) at his expense.

Rule 80. When required by the Company, the owner of any property serviced by a lateral carrying industrial wastes shall install a suitable structure together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Company. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Rule 81. The Company may require a user of sewer services to provide information needed to determine compliance with these rules. These requirements may include:

- (a) Wastewaters discharge peak rate and volume over a specified time period.
- (b) Chemical analyses of wastewaters.
- (c) Information on raw materials, processes and products affecting wastewater volume and quality.
- (d) Quantity and disposition of specific liquid, sludge, oil, solvent or other materials important to sewer use control.
- (e) A plot plan of sewers on the user's property showing sewer and pretreatment facility location.
- (f) Details of wastewater pretreatment facilities.

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(g) Details of systems to prevent and control the losses of materials through spills to the Company's sanitary sewer.

Rule 82. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these Rules and Regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association; sampling methods, locations, times, durations and frequencies are to be determined on an individual basis subject to approval by the Company.

Rule 83. No statement contained in these Rules and Regulations shall be construed as preventing any special agreement or arrangement between the Company and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the Company for treatment, subject to payment therefor by the industrial customer of a rate and/or charge to be determined by the Company, with approval of the Commission.

Rule 84. The Company or authorized representatives of the Company bearing proper credentials and identification shall be permitted to enter all properties or structures for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge to the sewerage system in accordance with the provisions of these Rules and Regulations.

Rule 85. The Company or duly authorized representatives of the Company are authorized to obtain information concerning industrial processes which have a direct bearing on the kind and source of discharge to the wastewater collection system. The industry may withhold information considered confidential. The industry must establish

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that revelation to the Company of the information in question might result in an advantage to competitors.

Rule 86. While performing the necessary work on private properties referred to in Rule 84, above, the Company or any duly authorized representatives of the Company shall observe all safety rules applicable to the premises established by the owner and the owner shall be held harmless for injury or death to the Company authorized representatives and the Company shall indemnify the owner against a loss or damage to its property by the Company's authorized representatives and against liability claims and demands for personal injury or property damage asserted against the owner and growing out of the gauging and sampling operations, except as such may be caused by negligence or failure of the owner to maintain safe conditions as required in Rule 80.

Rule 87. The Company or any duly authorized representatives of the Company bearing proper credentials and identification shall be permitted to enter all private properties through which the Company holds a duly negotiated easement for the purposes of, but not limited to, inspectional observation, measurement, sampling, repair, and maintenance of any portion of the wastewater facilities lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Rule 88. No trees, shrubbery, or similar growths shall be planted, or allowed to grow, directly over or within ten (10) feet horizontal distance measured from the dripline of the mature planting to Service Mains, Laterals, or manholes. Any landscaping, plantings, trees, shrubbery or similar growths, or landscaping items or objects, facilities or structures placed within the Company's easements or right-of-ways are at risk of being

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removed by the Company without any obligation or liability of replacement by the Company.

FATS, OILS AND GREASE (FOG) MANAGEMENT

Rule 89. FOG Interceptors, Traps, and Oil-Water Separators

(a) All FOG Facilities are required to have a FOG Pretreatment Device properly installed that is acceptable to Company. Installation and maintenance of a FOG Pretreatment Device shall be at the FOG Facility's expense. The FOG Pretreatment Device must be located so that maintenance and inspections can be easily performed.

(b) All FOG Pretreatment Devices shall operate in compliance with Company's discharge limits as described in Rule 76. The FOG Pretreatment Device must have adequate retention time at actual peak flow between the influent and effluent baffles to allow for any solids to settle or accumulate and floatable grease-derived materials to rise and accumulate and prevent discharge limit violations.

(c) Existing FOG Facilities are permitted to operate and maintain an existing FOG Pretreatment Device provided these are in proper operating condition as set forth in this Rule. If the FOG Facility does not have plumbing connections to a FOG Pretreatment Device that functions to bring the FOG Facility in compliance with this Rule, the Company will require the FOG Facility to modify its plumbing in order to prevent the introduction of FOG into Company's sewer system. A new multi-use facility is required to have connections to a FOG Pretreatment Device acceptable to Company.

(d) Newly-constructed facilities that will or could include FOG Facilities are required to install and maintain a grease interceptor or oil-water separator in accordance with this Rule. A facility which will be expanded or renovated to include a FOG Facility will be required to install and maintain a grease interceptor, grease trap or oil-water separator which is acceptable to the Company.

(e) A grease interceptor and oil-water separator may be used by more than

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one FOG Facility if the capacity of the device is such that all of the discharge limits are met. Grease traps cannot be shared by multiple facilities.

(f) All grease traps must include flow regulators. All grease interceptors must include a Tee outlet with a maximum height of 12-18 inches above the interceptor's base and riser extended to within 8 inches of the inspection cover.

(g) If a grease interceptor cannot be installed readily or economically in a FOG Facility, Company may approve a grease trap to be installed in the facility, at the owner's expense and on a trial basis. If the grease trap is unable to meet the FOG discharge limits established by these Rules, the FOG Facility will be required to install a grease interceptor.

(h) Accumulation of floatable FOG and/or settled solids shall not exceed twenty-five (25) percent of the total volume of the grease trap or grease interceptor. Accumulation of settled oils in the oil-water separator shall not exceed twenty (20) percent of the wetted height of the oil-water separator, and no floating oil and grease in the oil-water separator should be left to accumulate in excess of five (5) percent of the wetted height of the oil-water separator.

(i) The sizing and plumbing configuration required to prevent the introduction of FOG into Company's sewer system is the responsibility of the FOG Facility design professional.

(j) The use of automatic removal systems is permissible only upon written approval from the Company.

Rule 90. Grease Interceptor, Grease Trap and Oil-Water Separator Maintenance

(a) The grease interceptor, grease trap or oil-water separator shall be maintained at the FOG Facility's expense.

(b) All grease interceptors, grease traps and oil-water separators shall be

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serviced and emptied as frequently as needed in order to maintain an acceptable waste limit as described in Rule 89(h) above. Grease interceptors and oil-water separators shall be serviced and emptied not less than every three (3) months. Grease traps shall be serviced and emptied not less than twice per week.

(c) Grease interceptors, grease traps and oil-water separators shall be completely evacuated anytime the discharge exceeds BOD, TSS, FOG, pH, or other pollutant levels established by Company.

(d) All waste (floating FOG and settled solids) shall be removed from the FOG Pretreatment Device, hauled away and disposed of per the standards of the State of Indiana.

(e) No waste or water shall be returned to a FOG Pretreatment Device once pumped. If the solid waste, grease or oil reaches the allowable discharge limit established by these Rules, the FOG Pretreatment Device will be cleaned immediately.

(f) The maintenance of a grease interceptor used by more than one FOG Facility is the responsibility of the owner of the grease interceptor.

(g) If Company determines the garbage disposal is a factor in the prohibited discharge of FOG, then the garbage disposal shall be connected to the grease trap, grease interceptor, or removed from the FOG Facility.

(h) No person shall introduce, or cause, permit or suffer the introduction of any Surfactant, Solvent, or Emulsifier into a grease interceptor. Surfactants, Solvents and Emulsifiers are defined as materials which allow the grease to pass from the grease interceptor into the collection system, and include but are not limited to enzymes, soap, diesel, kerosene, turpentine and other solvents.

(i) A FOG Facility may submit a written request to Company requesting a modification of its maintenance obligations under this Rule.

Rule 91. FOG Facility Reporting Requirements

(a) All non-residential customers shall provide, when requested by Company, sufficient information to determine if it is a FOG Facility.

(b) The owner, or owner's representative, of the FOG Facility shall notify the Company, in writing, of changes regarding the facility's occupant, building usage, and/or new construction within thirty (30) days of the date the change goes into effect.

(c) All FOG Facilities must maintain written FOG Pretreatment Device maintenance records for three (3) years on a continuously rolling calendar basis. All such records will be available for inspection by Company at any time. These records shall include: facility name and location, date and time of cleaning service, name of grease hauling company, name and signature of grease-hauling company agent performing the cleaning service, established service frequency and type of service (full pump, partial pump out, onsite treatment), number and size of each pretreatment device serviced, approximate amount of grease and solids removed from each pretreatment device, total volume of waste removed from each pretreatment device, destination of removed waste, and the signature and date of the FOG Facility personnel confirming the service completion.

(d) A FOG Facility will report, in writing, its FOG Pretreatment Device maintenance records to Company quarterly.

(e) A FOG Facility shall report to the Company by phone any accidental discharge of prohibited materials, as described in Rule 76, immediately. A written report detailing the accidental discharge must be provided by the Facility within 24 hours of the discharge event.

Rule 92. FOG Facility Inspection

(a) All FOG Facilities may be inspected by the Company as necessary to ensure compliance with these FOG Rules. Each FOG Facility shall allow officials or agents of Company bearing proper identification access to all parts of the premises for the purpose

of inspection. The refusal of any FOG Facility to allow the Company's official or agent entry to, or upon, the Facility's premises for purposes of inspection shall constitute a violation of these FOG Rules and may result in temporary suspension of service. Company has the right to inspect a FOG Facility at any time, both scheduled and unscheduled, during the FOG Facility's normal operating hours.

(b) At the discretion of the Company's official or agent, the pretreatment effluent may be tested annually to confirm compliance with the discharge requirements provided for in these FOG Rules, with laboratory costs billed to the FOG Facility. Inspection and testing frequency may be increased if the FOG Facility is found to be in violation of the discharge limits.

Rule 93. FOG Facility Management

It is the FOG Facility owner's responsibility to ensure that all employees and/or tenants are informed about the FOG Rules and that best management practices are followed. In the event management changes within the FOG Facility, it is the Facility owner's responsibility to train the new management on the requirements under these FOG Rules. A FOG Facility that changes ownership will be recognized as a new FOG Facility. Company shall be notified within thirty (30) days of changes to a FOG Facility's ownership, tenant(s), name or type of business.

Rule 94. FOG Facility Exemption Request

If a FOG Facility has reason to believe that a limit or requirement specified in these FOG Rules does not or should not apply to it, the FOG Facility may submit an exemption request in writing, along with any supporting information, to the Company's Board of Directors. The Company's Board will consider an exemption request at a regular meeting. The FOG Facility will be notified of the Board's decision in writing within one (1) week of the Board's decision.

Rule 95. FOG Charges

A FOG Facility will be subject to a monthly FOG charge as identified in Company's tariff. If violations of the FOG rules occur, the FOG Facility will be subject to monthly inspections until the violations cease. The inspection charge is identified in the Company's tariff.

Rule 96. FOG Facility Non-Compliance

(a) A Notice of Violation (NOV) will be issued to a FOG Facility for any violation of these FOG Rules. The NOV will include a description of the violation and the number of days to correct the violation. If the FOG Facility wishes to dispute a violation, it must be done in writing to the Company's Board of Directors by letter, fax, or email within thirty (30) days of the NOV issuance date. All disputes shall be reviewed by the Company's Board of Directors.

(b) Continued violations of the FOG Rules may result in the disconnection of service in accordance with Rule 32.

INFLOW AND INFILTRATION (I/I) REDUCTION

Rule 97. Company has established an Inflow and Infiltration Reduction Program (the "Program") to reduce the amount of I/I that enters its sewer system. The Program will initially consist of the following:

(a) Inspection of Customer properties in areas with high I/I rates, as determined by Company, to verify that: i) downspouts are not connected to the sewer system; ii) the sump pump is not connected to the sewer system; iii) cleanout caps are in place and watertight; iv) yard drains are not connected to the sewer system; v) there are no sinkholes or other indications that the sewer lateral is leaking; and vi) there are no other sources of clear water infiltration into the Company's system. Prior to performing an inspection, Company will schedule an inspection time with the Customer.

(b) An inspection may consist of the following methodologies: visual; closed circuit television cameras; liquid dye; and smoke testing, among others.

(c) If no deficiencies are found during an inspection, Company will issue a compliance letter to Customer indicating that the customer's property is in compliance with the Program.

(d) If a deficiency is found, Company will notify the Customer in writing with an explanation of the deficiencies and the recommended corrective measures. A follow-up inspection by Company will be required to verify that the Customer has corrected the deficiencies.

(e) If a Customer fails to correct the deficiencies, or if a Customer fails to allow Company to perform an inspection, the Customer will be in violation of the Program rules, which may result in the disconnection of service in accordance with Rule 32.

Rule 98. Company may, upon written notice to its Customers, modify the Program to require an inspection in the event a Customer sells his property and a new owner becomes a sewer service customer of the Company. The following requirements apply to an inspection due to a sale of property:

(a) Prior to the sale of a Customer's property, Customer shall notify Company of the sale and schedule an I/I inspection. The inspection will verify the items identified in Rule 97(a) above and will consist of the methods identified in Rule 97(b).

(b) If no deficiencies are found during the inspection, Company will issue a compliance letter to Customer indicating that the Customer's property is in compliance with the Program.

(c) If a deficiency is found, Company will notify the Customer in writing

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with an explanation of the deficiencies and the recommended corrective measures. A follow-up inspection will be required to verify that the Customer has corrected the deficiencies.

(d) Company will require that an inspection be completed prior to the sale of the property so that any deficiencies can be corrected and the compliance certification issued.

(e) If a Customer fails to receive a certification of compliance within thirty (30) days of a change in ownership, Company may disconnect service in accordance with Rule 32 above.

GENERAL:

Rule 99. The Company shall not be held liable for any failure or delay in performing any of the things undertaken by it under any service contract when such failure or delay is caused by strike, acts of God, unavoidable accident, or other contingencies beyond its control, and in no manner due to its fault, neglect, or omission, nor shall Company be liable for damage caused by interruption in, or failure of service, or by water escaping from piping on customer's property.

Rule 100. The Company shall not be liable for the failure, interruption or malfunction, including backup, of its system and service caused by flood, earthquake, high— water, war, riot, or civil commotion, vandalism, acts of others, or acts or failure of action of any local governmental authority to enforce or provide proper surface drainage or ditches for surface water run-off, or other circumstances over which Company has no control, where the Company has used reasonable care in installing and maintaining its system in accordance with acceptable standards in the sewer utility business.

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Rule 101. All laws of the State of Indiana and Rules and Regulations of the Commission applicable to the rendering of sanitary sewage disposal service in rural areas are hereby incorporated herein by reference.

Issued Pursuant to
Cause No. 44683
November 9, 2016
Indiana Utility Regulatory Commission
Water/Wastewater Division

RECEIVED
December 1, 2016
INDIANA UTILITY
REGULATORY COMMISSION