

ELECTRIC, WATER, SEWER, CABLE TELEVISION AND INTERNET

I. GENERAL RULES

A. RULES GOVERNING RENDERING OF SERVICE

The Rules and Regulations of the Barbourville Utility Commission of the City of Barbourville, Kentucky, as hereinafter set forth or as they may hereafter be altered or amended in a regular and legal manner shall govern the rendering of electric, water, sewer, cable television and Internet service, and each customer, upon signing an application for service or upon the taking of service, shall be bound thereby.

B. APPLICATIONS FOR SERVICE

1. All applications for service must be made in person at the office of the Barbourville Utility Commission located at 202 Daniel Boone Drive, Barbourville, Kentucky, on forms provided by the Commission.
2. All applicants will be required to provide proper photo identification, such as a driver's license.
3. Application for service must be made for any of the following: electric service, water service, sewer service, cable television, Internet, security lights, sprinkler systems, or any other service provided by the Barbourville Utility Commission.
4. A Wastewater Contribution Permit may be required for any non-residential customer discharging wastewater to the Commission's sanitary sewer system.
5. Utility service(s) shall not be rendered to any applicant owing money to the Commission for any prior service or for required fees or deposits until payment is made.

C. SECURITY DEPOSITS

The Barbourville Utility Commission deposit policy is designed to assess the credit risk associated with all applications for new or continued service, while protecting the assets of our utility.

It is also important to note that most of our customers will be charged no deposit, because they pose little credit risk. Likewise, those customers who have not established credit or pose substantial credit risk deserve to bear the financial risk of providing service to them mitigated through a credit-based deposit policy that shifts the financial burden they may pose off of our best-paying customers onto those who do, in fact, pose a risk.

This policy is based upon the use of a new, technology-based screening tool called the ONLINE Utility Exchange to assess credit risk at the point of application and charge deposits only to those potential customers and existing customers who pose credit risk.

Deposit Criteria

BUC shall consider the status of the applicant and act according to the following criteria:

Residential Service Applicants

1. New-service applicants who pose no credit risk (Green Light returned on the ONLINE Utility Exchange) will be charged no deposit.
2. New-service applicants who pose minimal risk (Yellow Light returned on the ONLINE Utility Exchange) will be charged a deposit equal to one times the highest month's usage for the service address during the preceding 12 months.
3. New-service applicants who pose substantial credit risk (Red Light returned on the ONLINE Utility Exchange) will be charged a deposit equal to two times the highest month's usage for the service address during the preceding 12 months.
4. If the service address is new and has not had service before, an ONLINE Utility Exchange Report will be run as normally required. The deposit will be based on the following schedule:
 - i. A Green Light shall require no deposit.
 - ii. A Yellow Light shall require:
 1. Total Electric \$200
 2. Other Electric \$100
 3. Water Service \$50
 - iii. A Red Light shall require:
 1. Total Electric \$400
 2. Other Electric \$300
 3. Water Service \$50
5. Any existing customer who has no deposit and becomes delinquent (i.e. have not paid current bill for 30 days, or has had two or more delinquencies in any consecutive 24-month period), shall be deemed to have an unsatisfactory payment record and must pay a maximum deposit to continue service.

6. Any request for extension where the customer has had existing service for six months or more, shall have a new the ONLINE Utility Exchange report pulled and, if the decision indicates credit risk, the deposit shall be required to be increased to the appropriate deposit amount.
7. A customer who has had service terminated or has an unpaid utility bill returned by the ONLINE Utility Exchange shall pay a maximum deposit.
8. A service applicant who provides a social security number that is returned as deceased, non-issued, belonging to a person under the age of 18, or belonging to a person other than the applicant, or is fraudulent, shall be required to provide a valid social security number as well as additional proof of identity i.e. valid driver's license, Social Security Card, etc. before service will be activated.
9. BUC cannot demand that an applicant provide their social security number as a requirement for service. However, it is our policy that applicants who refuse to provide their social security number pose a greater credit risk and shall be charged the maximum deposit.

Two Families on One Meter

If two or more single family residences are connected to the same water meter, the water and sewer deposits will be adjusted accordingly.

Monthly Installments

The General Manager or his/her designee shall have the authority at his/her discretion to permit all or part of the deposit for a new residential service applicant to be made in up to three equal monthly installments. To be eligible for such consideration, the applicant shall submit an appropriate letter of recommendation from a former supplier of comparable utility service.

Rental Dwellings and Apartments

The Commission may require a copy of the rental lease agreement to verify for whom the services are being rendered.

When rental property is vacated by a tenant, the account shall be read into the landlord's name until the time in which the rental property becomes occupied. There will be no service charge for reading the account into the landlord's name. If the landlord wishes to have the account disconnected and vacated for a period of time, the meters will be pulled from the residence and the landlord will be responsible for a \$10 service charge to reconnect.

Commercial Applicants

The Commission shall require a cash deposit from all other customers or applicants for utility service(s) to secure payment of bills except as noted below. The required deposit shall be determined by the General Manager or his/her authorized representative on an individual basis at the time of application in an amount to approximate two times the estimated average monthly bill

A letter of credit may be accepted in lieu of a cash security deposit for commercial customers of the Commission.

Transfer of Deposits

Deposits may be transferred from one location to another if the applicant is the owner of the home at the location for which service is being requested. However, if the amount already on deposit is not equal to the amount of deposit required at the time of the transfer, the homeowner must pay the difference between these two amounts. All other applicants will be required to pay the applicable security deposit in full each time an account is opened. When the previous account is terminated and all outstanding bills are paid, the previous security deposit will be returned.

Interest on Security Deposits

The Barbourville Utility Commission shall pay interest annually (in the form of a credit on the users 1/1 utility bill) on all customer security deposits retained by the Commission at interest rates as outlined in the Kentucky Revised Statutes. When a homeowner has been on the Commission's service for a period of five years, or when an account is terminated and all outstanding bills are paid, the security deposit shall be returned along with any interest due to the customer.

D. DISCONTINUANCE OF SERVICE

1. Customers shall notify the Commission of the time they desire service to be discontinued. Customers who fail to provide such notification shall be liable for any electricity, water, sewer, cable television and/or Internet service utilized on their premises. A final bill may be issued for any service period consisting of seven or more days. If the final service period is for less than seven days, the electric, water, sewer, cable television and/or Internet utilized during that period will be added to the previous bill.
2. A customer's service shall be discontinued for non-payment of bills, for stealing or attempting to steal service by means of shunts, bypasses, or any other means, for violations of the Commission's Rules and Regulations, for violation of the City's Sewer Use Ordinance, and for any use of electric, water, sewer, cable television or Internet services for illegal purposes.

3. Prior to such discontinuance, the customer shall be sent a notice stating the reason for discontinuance. The notice shall inform the customer of the following: In the event of any dispute between the customer and the Commission concerning discontinuance of service, the customer may contact the General Manager of the Barbourville Utility Commission and request an opportunity to be heard. Upon such request, the General Manager may withhold discontinuance of service pending a meeting between the customer and the General Manager to determine the correctness of the customer's position.
4. Any person wrongfully converting electric, water, sewer, cable television or Internet service, by knowingly receiving benefit from wrongfully converted electric, water, sewer, cable television and Internet or using any device or means to defeat metering equipment or damage Commission property, shall be charged a tampering fee and shall be subject to possible prosecution under the applicable provisions of the Kentucky Revised Statutes relating to same.

E. SERVICE CHARGES AND RECONNECTION CHARGES

1. The following charges will be applied by the Commission to cover the cost of connecting or reconnecting a meter or service:

Description of Service Charge

- a. New Connects - Connecting utility services at any location where services have been previously disconnected or where the billing account name and/or account number changes, except as noted below (during normal working hours) \$10.00 Note: In the event that a spouse wishes to do a name change only on a residential account where there has been no change in location and no meter readings are required necessitating a service call, there will be no connection fee charged.
- b. New Connect - Connecting utility services at any location where services have been previously disconnected and where the billing account name and/or account number changes, (after normal working hours) \$50.00
- c. Disconnecting and reconnecting utility services to any account due to non-payment (during normal working hours) \$25.00
- d. Disconnecting and reconnecting utility services to any account due to non-payment (after normal working hours) \$50.00
- e. Disconnecting and reconnecting utility services to any account that has been illegally reconnected by customer after the account was disconnected by the Barbourville Utility Commission due to non-payment of account \$100.00

- f. Any miscellaneous service call that requires dispatching an employee and truck for the convenience of the customer (during normal working hours) \$20.00
- g. Any miscellaneous service call that requires dispatching an employee and truck for the convenience of the customer (after normal working hours) \$35.00
- h. Processing fee for checks returned by the bank due to insufficient funds \$25.00
- i. Fire Hydrant Meter Rental – minimum security deposit \$1000.00 for those who do not have an active account with the BUC.

2. Temporary utility service(s) may be supplied to a residential or commercial customer for a period of one (1) month upon the payment of a \$50.00 service charge with the following stipulations: the Applicant shall have an active account with the Commission; the Applicant shall sign an agreement with the Commission that allows the Commission to hold the Applicant's existing account liable for the temporary account's charges if those charges are not paid by the Applicant. The Applicant shall be required to pay for all electric, water, and/or sanitary sewer services used during the temporary period.

F. PAYMENT OF BILLS

1. Bills will be mailed out by the Commission the first of each month, and payment must be received by the Commission prior to the 10th of the month. Payments not received by the end of business on the 10th of the month shall be subject to a 10% late payment charge.

2. The failure to receive a bill in the mail does not relieve the customer of his/her obligation to pay, and to pay on time. A customer not receiving a bill during the first week of any month should notify the BUC business office.

3. Any customer whose bill remains unpaid after the 10th of the month shall be sent a cut-off notice which will state the date after which service will be terminated if payment is not received. If the service is disconnected the applicable service charges and/or reconnection fees will apply.

4. Any customer who has sewer services with the Barbourville Utility Commission and water services with another water utility will be given proper notification if the sewer bill should become delinquent. If payment is not received within the allotted time, notification will then be given to the water utility to disconnect water services until such time as the sewer charges are paid to the Commission. All delinquent sewer charges and the appropriate service charges shall be paid to the Commission who will then give the water utility notice to reconnect water service.

5. Payment may be made by means of a first-party check made payable to the Commission for the exact amount of the bill. If the check is returned by the bank due to insufficient funds the customer will be sent a notice stating the date after which service will be terminated if payment is not received. Repayment for the amount of the check along with a \$25.00 processing fee must be made in cash. If the service is disconnected the applicable service charges and/or reconnection

fees will apply. If a customer develops a history of returned checks, he/she may be placed on a "cash-only" basis by the Commission and future checks will not be accepted as payment of bills.

6. No two-party checks will be accepted by the Commission.

7. The Commission provides a plan whereby the Customer authorizes Barbourville Utility Commission to draw a draft on his local bank account to cover the net amount of his utility bill each month. These drafts are to be drawn about ten (10) days after the time of billing each month. The customer must complete and sign an Authorization Form to initiate the plan. The customer will receive a bill each month for his records.

8. A customer may be given a one (1) time extension on payment of a bill during any twelve (12) month period, not to exceed more than five (5) days. This extension shall be for a documented emergency that was beyond the control of the customer. Under no circumstances shall a customer be allowed to extend payment of the current months bill into the next month.

9. Any unpaid bills owned by a customer shall be paid in full within 30 days of notification of such unpaid accounts. Unpaid accounts not paid within the 30 days, will be turned over to a collection agency or civil suit may be filed in Knox County District Court for the unpaid amount. If suit is filed, then the customer shall then become responsible for the Barbourville Utility Commission's legal fee's as well as any judgement rendered by the District Court.

10. On the 19th of the month, any bill that is not paid and is subject to disconnect for non-pay will be automatically assessed a \$25.00 service charge.

G. SERVICE INTERRUPTIONS

1. The Commission will make every attempt to maintain safe, reliable and continuous service to its customers. However, it will not be liable for any damage or inconvenience caused by reason of any break, leak, defect, lightning, or any other interruption of service which results in the inability of the Commission to supply electricity, potable water, or sanitary sewer service in quantities sufficient to meet the demands of its customers, or which results from the voluntary reduction or redistribution of electrical power or potable water or sanitary sewer service.

2. After an investigation by the customer to determine that the problem is not on the customer's premises or within the customer's equipment, any interruption of service to a customer's premises should be reported immediately to the Commission.

3. The Commission may interrupt service at any time without notice to make necessary repairs, system alterations or for any other necessary and valid reason(s) as determined by the Commission.

H. MEASURING CUSTOMER SERVICE

1. All electric, water and sanitary sewer service shall be rendered on a metered basis, as follows:

a. Electric Service - Electric service will be provided on a metered basis to any location within the electric service area of the Commission in accordance with the current rate ordinance(s) of the Barbourville Utility Commission and all rules, regulations and customary practices of the Commission and upon payment of the appropriate connection fees and deposits.

b. Water Service - Water service will be provided on a metered basis to any location within the water service area of the Commission where waterlines exist in size and capacity capable of supplying the needs of the applicant in accordance with the current rate ordinance(s) of the Barbourville Utility Commission and all rules, regulations and customary practices of the Commission and upon payment of the appropriate connection fees and deposits.

c. Sewer Service - Sanitary sewer service will be provided on a metered basis (based on 100% of water consumption) to any location within the sanitary sewer service area of the Commission where sanitary sewer lines exist in size and capacity capable of supplying the needs of the applicant in accordance with the current rate ordinance(s) of the Barbourville Utility Commission and all rules, regulations and customary practices of the Commission and upon payment of the appropriate connection fees and deposits.

d. Customers having facilities that require the use of potable water with no discharge of wastewater to the sanitary sewer system may make application, along with payment of the appropriate tapon/connection fees and deposits, for a separate water meter to supply water to such facilities. Upon a determination by the Commission that no possibility exists that any part of the wastewater from a potable water service line will be discharged to the sanitary sewer system, the Commission may provide a water service line for “water only” service. Should a customer decide at a later date to discharge any portion of the water to the sanitary sewer system, sewer charges will be billed at that time for 100% of the water consumption in accordance with the current rate ordinance(s) of the Barbourville Utility Commission

2. Metering equipment is owned by the Commission unless a written contractual agreement specifically states otherwise, and it is wrongful for any person to attempt to operate or regulate this equipment. Any tampering with the Commission's metering or service equipment or with the seals affixed thereto shall subject the offending party to penalties, including possible criminal prosecution and/or permanent discontinuance of service.

3. All meters, service connections and other equipment furnished by the Commission shall be and remain the property of the Commission. The customer shall provide a space for and exercise proper care to protect the property of the Commission on his/her premises; and in the event of loss or damage to Barbourville Utility Commission property arising from neglect of the customer to care for same, the cost of the necessary repairs or replacements shall be paid by the customer.

4. Identified employees of the Commission shall have access to the customer's premises at all reasonable times for the purpose of reading meters, testing, repairing, removing or exchanging any or all equipment belonging to the Commission.
5. All meters are read and billed separately, and each metering point shall be regarded as a separate service.
6. Meter readings taken at separate points shall not be combined for the purpose of obtaining a lower rate.
7. No sub-metering or resale of service is permitted without special contractual arrangements.
8. Any person wishing to obtain water from a fire hydrant will be required to install a fire hydrant meter for metering purposes. The Commission will provide the fire hydrant meter on a rental basis. There will be a \$100.00 rental fee along with a rental charge of \$20.00 per day for each day that the fire hydrant meter is away from the BUC premises. The person or company renting the fire hydrant meter shall be fully responsible for its safekeeping. Should the fire hydrant meter be damaged or lost; the cost to repair/replace same shall be paid by the party renting the meter. The customer will pay for water used at the applicable rate in accordance with the current rate ordinance(s) of the Barbourville Utility Commission. There shall be a One Thousand (\$1000.00) dollar minimum security deposit paid to the BUC by anyone desiring to rent a fire hydrant meter who does not have an active account with the BUC.

I. TESTING CUSTOMER'S METER

1. Any customer who thinks his metering equipment is in error, may request a test to determine the accuracy of such equipment, provided such request is made no more frequently than once each year, and provided he deposits with the Commission an amount to cover a portion of the cost for removing, testing and reinstalling the respective meter in accordance with the following schedule:

a. Electric Watt-hour Meters

Single phase \$20.00

Three phase self-contained 30.00

Three phase transformer rated 50.00

b. Water Meters

5/8" or 3/4" displacement \$100.00

1" through 2" displacement \$200.00

Larger than 2" and all compound By Contract

2. If the accuracy of any metering device so tested is within + 2%, the amount deposited shall be retained by the Commission. If the accuracy is outside + 2%, the amount deposited by the customer shall be refunded and an appropriate adjustment to his bill shall be made for the period of time during which the inaccuracy is "known" to have existed, but in no case to be larger than twelve months.

J. TECHNICAL CRITERIA - ELECTRIC SERVICE

1. The type of service shall be single or three phase at the option of the Commission, 60 hertz, and at one of the Commission's available service voltages of 120/240 volt single phase, 120/208 volt three phase, 120/240 volt three phase or 277/480 volt grounded wye three phase.
2. The point of attachment of an electric service drop shall not be less than 12 feet nor more than 18 feet above ground level unless a written authorization to deviate is granted by the Commission and same complies with the current edition of the National Electric Code.
3. The location of the service entrance shall be determined by the Commission and shall be the most suitable and economical location with respect to the Commission's distribution lines. A customer desiring a different location shall pay any cost differential associated therewith. The service entrance shall be constructed with 2-inch minimum rigid metal conduit and shall extend above the roof a minimum of 2 feet to a maximum of 3 feet, 6 inches, unless otherwise authorized in writing.
4. The meter location shall be determined by the Commission upon request by the applicant.
5. All electric wiring for residential, commercial, industrial, or other use shall be constructed in a manner to comply with the current edition of the National Electric Code, the Uniform State Building Code and the Standards of Safety promulgated by the Commissioner of Housing, Buildings, and Construction of the Commonwealth of Kentucky, and with the current ordinances of the City of Barbourville and all rules, regulations and customary practices of the Commission. If the electric service entrance is found to be out of compliance with any of the above stated entities/documents, the Commission shall have the authority to disconnect all utility service(s) and/or to refuse to connect the electric service until suitable repairs are made.
6. All new electrical construction and/or modifications must be inspected by a certified electrical inspector in accordance with Kentucky Revised Statutes. Before electric service is rendered, the customer must supply the Commission with a Certificate of Compliance which has been executed by a certified electrical inspector who has been approved and so designated by the Commission.
7. Applicants for new or additional non-residential overhead electrical service shall be required to submit a "Request for Electric Service" giving requested load data prior to receiving service. Information shall be provided to the Commission a minimum of ninety (90) days prior to the date the new or additional electric service is desired. For underground electric service with loads of 500 KW or greater and requiring a 500 KVA or larger pad mounted transformer, the Commission shall be provided with the total load information a minimum of six (6) months prior to the date the new electric service is needed. On this same date, the user requesting the electric service shall deposit with the Commission an amount equal to fifty (50%) percent of the delivered cost of the pad mounted transformer before the Commission places a purchase order for same. At such time as the new service requiring the 500 KVA or larger pad mounted transformer is fully connected and all other deposits, fees and etc. are paid to the Commission,

the Commission will refund to the user all monies deposited with the Commission toward the purchase of the pad mounted transformer. However, should a prospective user request underground electric service requiring a minimum of 500 KVA pad mounted transformer and the Commission issues a purchase order for the pad mounted transformer and thereafter the user decides that he/she does not want the electric service; then the prospective electric user shall pay the total cost of the pad mounted transformer to the Commission.

8. The Commission will provide “only one” electric service line to any residential, commercial, industrial or etc. building.

K. TECHNICAL CRITERIA - WATER SERVICE

1. Domestic Water Service

a. The buried portion of the customer's water service from the meter to the point of consumption shall conform to appropriate plumbing standards. It is recommended that no smaller than 3/4-inch service lines be installed to insure an adequate supply of water, and that water service lines shall have at least 30 inches of cover to protect them from freezing.

b. Each water service shall have a cut-off valve installed outside the meter or pit on the customer's side of the meter, and it is recommended that a cut-off valve also be installed immediately inside the building wall.

c. The water meter location shall be determined by the Commission. This location will generally be at the street right-of-way or the property line. The customer/applicant shall determine the final grade or elevation of the area surrounding the designated water meter location. Any filling or excavating that may be required to bring the designated water meter location to the proper elevation shall be completed by the customer/applicant prior to BUC making the water tap and setting the water meter. The cost for making any adjustment to the water meter box and other water related facilities required after the Commission has set the water meter box shall be paid by the water user. In all cases, meters shall be accessible to Commission employees.

2. Fire Water Service

Customers requesting a separate fire line service shall comply with the following:

a. Obtain written permission from the Commission to construct a fire service line.

- b. Furnish all material and labor to make a wet tap on the Commission's existing water line in accordance with the Commission's requirements, rules and regulations.
- c. Furnish all material and labor to construct a meter pit in accordance with BUC standard drawing and regulations dated September 2003 and as they may be revised from time to time.
- d. Furnish all material and labor to construct a ductile iron waterline from the Commission's existing water line through the meter pit.
- e. Furnish all material and labor to construct a double detector check valve assembly with a bypass meter, main line valves and all other related equipment in accordance with BUC's standard drawings and regulations dated September 2003 and as they may be revised from time to time.
- f. For an installation involving the use of pumping facilities, detailed shop drawings shall be supplied to the Commission in duplicate and written approval of same shall be obtained from the Commission prior to the installation of the pumping equipment. Pumping equipment and all other related equipment shall be installed on the customer side of the meter and shall be owned, operated and maintained by the water user.
- g. All facilities and equipment up to and including the meter pit with metering equipment shall be the property of the Commission, and the Commission will be responsible for the customary and normal maintenance of same.
- h. There shall be no tap-on fee or connection fee paid to the Commission for this service.
- i. All water meter charges and water used shall be paid for at the Commission's regular rate in accordance with current City of Corbin rate ordinance(s). The monthly water meter service charge shall be determined by the size of the by-pass water meter assembly.

3. Combined Fire & Domestic Water Service

Customers requesting a combined fire and domestic water service shall comply with the following:

- a. Furnish all material and labor to make a wet tap on the Commission's existing water line in accordance with the Commission's requirements, rules and regulations.
- b. Provide shop drawings of proposed installation to approved by the Barbourville Utility Commission prior to any construction. Failure to seek prior approval will result and a denial of service from BUC.
- c. Furnish all material and labor to construct a ductile iron water line from the Commission's existing water line through the meter pit.

- d. Furnish all labor and materials to construct all metering equipment, valves, and other related equipment in accordance with BUC standards.
- e. All facilities and equipment up to and including the meter pit with metering equipment shall be the property of the Commission, and the Commission will be responsible for the usual customary and normal maintenance of same.
- f. There shall be no tap-on fee or connection fee paid to the Commission for this service.
- g. All water meter charges and water used shall be paid for at the Commission's regular rate in accordance with current Barbourville Utility Commission rate ordinance(s).

L. TECHNICAL CRITERIA - SEWER SERVICE

- 1. Sewer service lines (building sewer lines) shall be installed, inspected and maintained in accordance with current Sewer Use Ordinance(s) of the City of Barbourville and all rules, regulations and customary practices of the Commission.
- 2. All new applicants shall make application for and obtain a "permit for a Building Sewer" from the Commission prior to beginning construction of the sanitary sewer service line.

M. WATER SYSTEM CROSS-CONNECTIONS/BACKFLOW PREVENTERS

- 1. The interconnection of the Commission's water system with any other water supply such as wells or cisterns is absolutely prohibited.

All rules and regulations concerning cross-connections are contained in the "Barbourville Utility Commission – The Cross-Connection Control Manual" dated August 2006

N. WATER AND SEWER BILL ADJUSTMENTS

- 1. In those instances where excessive usage of water results from a leak in a customer's water line, and such leak is underground or concealed, and impossible for the customer to have had knowledge of same, the Commission at its discretion may adjust the bill to the customer's previous six months' average usage. The customer must make written request for an adjustment or appear at a regular board meeting and must present evidence of the detection and repair of the leak. Only one adjustment will be made to any one person in his/her lifetime.
- 2. In the event that a customer has not had service for six continuous months when the leak occurs, the adjustment will be withheld for six months after the leak is repaired so that an average consumption can be established.

O. ALTERATIONS IN CUSTOMER'S PREMISES

- 1. In any alteration in a customer's premises which necessitates the relocation of a meter or service equipment in order to maintain its accessibility, the customer shall be required to pay the costs associated therewith.

2. When a service is significantly altered, it shall be considered as a new service for the purpose of any required inspections, certificates or fees.

P. RELOCATION OR ALTERATION OF SERVICE LINES AND FACILITIES

1. Alteration or relocation of existing electric, water or sanitary sewer facilities of the Commission requested by and for the benefit of customers or third parties may be made, at the discretion of the Commission, provided the requesting or benefiting party shall pay the entire costs associated with such alteration or relocation.

2. No such alteration or relocation shall be made in any case if to do so would adversely affect the Commission's Utility System.

II. SERVICE EXTENSIONS

A. EXTENSIONS TO BE FEASIBLE AND DESIRABLE

1. Water - Inside City Limits

The Commission shall have no obligation to make extensions of the Commission's water lines and related facilities except upon a determination of the economic feasibility and desirability of any such extension, and the authority and responsibility to make such a determination rests solely in the Commission.

2. Sewer - Inside City Limits

a. The Commission will not extend its sanitary sewer lines to any tract of property inside the city limits of the City of Barboursville. However, in areas inside the city limits where the Commission determines that it is feasible and proper to extend its sanitary sewer lines and there is an applicant(s) that requests and desires to extend the sanitary sewer lines, the applicant(s) for new service shall pay the total cost of extending the sanitary sewer lines and any prospective user requesting to connect to same shall pay the appropriate tap-on/connection fees to the Commission.

b. Whenever such a sanitary sewer line extension is approved by the Commission and constructed by applicant(s) to any tract of property, the cost of any such extension greater than one hundred feet per applicant shall be subject to refund by the Commission in accordance with the following:

(i) The applicant shall be refunded 100% of all tap-on/connection fees paid to the Commission by customers whose building sewer line is connected directly to a sewer service line or sewer lateral line that was constructed by the applicant and directly connected to the sanitary sewer line extension constructed and paid for by the applicant.

When the Commission must perform any work to connect a customer to the line extension constructed by the applicant(s), the refund of the customer's tapon/

connection fee to the applicant(s) will be reduced by the Commission's cost to perform any work to connect the customer.

(ii) The refund period for sewer line extensions inside the Barbourville corporate limits shall extend for a period of twenty (20) years from the date that the line extension is accepted for ownership by the Commission. After the refund period expires, the Commission shall retain all tap-on/connection fees paid.

(iii) The applicant(s) shall provide the Commission with complete documentation to establish the sanitary sewer line extension cost for the portion of the sanitary sewer line extension subject to be refunded which shall include, but not limited to, invoices for all labor, material, equipment, and etc. along with a copy of the canceled check(s) showing full payment for each item within (45) days after completion of the project.

(iv) All work required to complete a sanitary sewer line extension shall be performed within a reasonable time period as determined by the Commission on the date permission is granted.

(v) If an applicant fails to comply with the Rules and Regulations of the Commission, no refunds for tap-on/connection fees will be made to applicant.

3. Overhead Electric Service

Normal and customary electric service is provided by means of overhead electric lines, pole mounted transformers, and other related overhead facilities. The Commission shall have no obligation to make extensions of the Commission's electric lines and facilities except upon a determination of the economic feasibility and desirability of any such extensions, and the authority and responsibility to make such a determination rests solely in the Commission. However, the electrical facilities of the Commission may be extended or expanded to supply electric service when the revenue is sufficient to justify the cost of making such additions, or in lieu of sufficient revenue, the Commission may require a long term contract and/or contribution, monthly minimum charge, or definite and written guarantee from a customer or group of customers in addition to any minimum payment required by the tariff as may be necessary. The authority and responsibility to make such a determination rests solely in the Commission.

4. Primary Underground Electric Service

a. Loads less than 500 KW and requiring less than a 500 KVA transformer – Normal electric service is provided by means of overhead lines, pole mounted transformers and other related facilities. If any Applicant desires underground electric service, whether such service be to serve a single dwelling, a commercial or industrial customer, or any other type or classification of customer, the underground primary electric service shall be provided per the following:

i. The Commission:

- Shall approve the location of all underground electric facilities.
- Shall furnish and install underground primary electric cable.
- Shall furnish and install the pad mounted transformer and the pad for the transformer.
- Shall furnish and install the electric consumption meter.
- Shall not be obligated to supply underground electric service when, in the judgment of BUC, such service shall be infeasible, impractical or contrary to good operating and/or engineering practice.
- Shall own and maintain all facilities up to the metering point.

ii. The Applicant:

- Shall furnish and install trench, conduit and backfill for the primary electric cable per BUC specifications and standards.
- Shall furnish and install the electric meter base per BUC specifications and details.
- Shall provide easement(s) to BUC for any BUC facility not located within public right-of-way. The easement(s) shall be on a recorded plat or BUC standard easement form, as approved by BUC.
- Shall pay to BUC the cost difference between providing overhead and underground electric service before construction begins. The cost difference shall be determined by BUC.
- Shall maintain all clearances per BUC specifications and details.
- Shall furnish, install, own and maintain all underground secondary electric facilities past the metering point.
- Shall pay the total cost to BUC for the replacement of existing overhead electric service facilities with underground electric service facilities. The total cost shall include, but not be limited to, the removal of the existing overhead facilities and the installation of the underground electric facilities.

b. Loads 500 KW or Greater and Requiring a Minimum 500 KVA Transformer - Normal electric service is provided by means of overhead lines, pole mounted transformers and other related overhead facilities. If a large commercial/industrial applicant desires underground electric service for 120/208 volt, three-phase (LGS-1) or a 277/480 volt three-phase grounded wye (LGS-2) requiring a 500 KVA or larger transformer, the BUC will provide the electric service in accordance with the following:

i. The Commission will:

- Approve plans.
- Provide Electric Meter
- Furnish and install up to 150 feet of high voltage cable from overhead connection to pad mounted transformer.
- Maintain first 150 feet of high voltage cable listed above.
- Furnish, install and maintain pad mounted transformer.

- Make all connections to transformer.
- Provide 15 KV bushing well inserts, 15 KV connectors and other miscellaneous high voltage material required to make connections to the pad mounted transformer.

ii. The Applicant will:

- Furnish and install rigid metal conduit with 36" radius elbows, from 40" above telephone or television lines to approximately 2" above concrete transformer pad in accordance with BUC standard detail drawings. Minimum depth of cover shall be 42" for high voltage cable and 30" for secondary cable.
- Provide concrete transformer pad (outside flood plain) in accordance with BUC standard detail drawings.
- Pay the cost of furnishing, installing and maintaining all high voltage cable in excess of 150 feet to the BUC.
- Provide grounding per BUC requirements.
- Provide and install meter base and metering transformer enclosure (for CT's and PT's) to meet the BUC requirements.
- Provide current and potential transformers.
- Provide, install and maintain all secondary cable on load side of pad mounted transformer.
- Provide and install rigid metal conduit from CT's and/or PT's to meter base per BUC requirements.
- Provide secondary pad connectors per BUC requirements
- Provide weather head, straps, stand off brackets and all other miscellaneous material required to construct service in accordance with BUC requirements and the most current edition of the National Electric Code.

5. Secondary Underground Electric Service from Overhead Primary

a. The Commission will:

- Approve Plans
- Provide Electric Meter
- Assist in installation of Secondary Underground cable and conduit from base of pole to location of weather head. Connect secondary cable to the primary overhead system.

b. The Applicant will:

- Furnish and install stand-off brackets to an existing "Commission" power pole or furnish, install and maintain a secondary metering pole to be located at or near the Commission's overhead electric system as approved by the Commission. Should the applicant/user elect to install his/her conduit on a Commission power pole, the applicant/user agrees to relocate same in the event the Commission desires to move or replace the power pole.
- Furnish, install and maintain a 2" minimum rigid metal or Schedule 80 PVC conduit, meter socket, disconnect switch, conduit and 90 degree bends (rigid metal or Schedule 80 PVC) to proper depth of cover on the Commission's existing pole or the users metering pole in accordance with the Commission's Typical Detail Drawings.

- Furnish, install and maintain secondary conduit and service cable from the metering pole to the load being served. Minimum cover over conduit shall be 30". All materials and installation shall be in accordance with the Commission's Typical Detailed Drawings.
- The applicant/user shall be totally responsible for maintaining his/her service line from the top of the weather head to the facility connected should same be damaged or destroyed for any reason.

6. Water & Sewer - Outside City Limits

a. The Commission will not extend its water and/or sewer lines to any tract of property outside the city limits of the City of Barbourville. However, in areas outside the city limits where the Commission determines that it is feasible and property to extend its water and/or sewer lines and there is an applicant(s) that requests and desires to extend the water and/or sewer lines, the applicant(s) for new service shall pay the total cost of extending the utility lines and any prospective user requesting to connect to same shall pay the appropriate tap-on/connection fees to the Commission.

b. Whenever such a utility line extension is approved by the Commission and constructed by applicant(s) to any tract of property, the cost of any such extension greater than one hundred feet per applicant shall be subject to refund by the Commission in accordance with the following:

(i) "On-site" line extensions shall be defined as all utility lines within the applicant(s) tract perimeter and within one hundred (100) feet of the tract to be served. "Off-site" line extensions shall be defined as all utility lines greater than one hundred (100) feet from the tract perimeter.

(ii) All "on-site" line extensions for property that remains outside the Barbourville corporate limits shall be constructed at the total cost of the applicant(s). Refunds will only apply to connections to the "off-site" line extensions. All "on-site" and off-site" line extensions for property that is annexed into the Barbourville corporate limits shall be eligible for refunds.

(iii) The applicant shall be refunded 100% of all tap-on/connection fees paid to the Commission by customers whose water and/or building sewer service line is connected directly to the utility line extension constructed and paid for by the applicant(s) that is eligible for a refund. When the Commission must perform any work to connect a customer to the line extension constructed by the applicant(s), the refund of the customer's tapon/connection fee to the applicant(s) will be reduced by the Commission's cost to perform any work to connect to the customer.

(iv) The refund period for water and sewer line extensions for property inside the Barbourville corporate limits shall extend for a period of twenty (20) years from the date that the line extension is accepted for ownership by the Commission. The refund period for water and sewer line extensions for property that remains outside the Barbourville corporate limits shall extend for a period of ten (10) years from the date of acceptance by the Commission. After the refund period expires, the Commission shall retain all tapon/connection fees paid.

(v) The applicant(s) shall provide the Commission with complete documentation to establish the utility line extension cost for the portion of the utility line extension subject to be refunded which shall include, but not limited to, invoices for all labor, material, equipment, and etc. along with a copy of the canceled check showing full payment for each item within (45) days after completion of the project.

(vi) All work required to complete a utility line extension shall be performed within a reasonable time period as determined by the Commission on the date permission is granted.

(vii) If an applicant fails to comply with the Rules and Regulations of the Commission, no refunds for tap-on/connection fees will be made to applicant.

7. Water & Sewer – Subdivisions

Water and sewer extensions and/or additions to subdivisions, inside or outside the city limits, shall be made in accordance with the following Subdivision Regulations:

a. The Subdivider shall construct a complete water distribution system, including storage facilities, pumping facilities, adequately sized water lines, adequately spaced fire hydrants and valves, and other related equipment, with a service connection line for each lot including a meter setter and meter box, in accordance with the minimum fire protection requirements for the City of Barbourville (Class 5 rating) as determined by the Southern Region of the Insurance Services Office , Marlton, N.J. and use the same standardized material which will meet the specifications of the Barbourville Utility Commission. Plans and specifications for the water line and other related equipment shall first be approved by the Commission and thereafter by the Kentucky Natural Resources and Environmental Protection Cabinet.

b. The Subdivider shall construct a complete sanitary sewer collector system, including adequately sized sanitary sewers, pump stations, manholes, and all other related equipment with a separate building connection line for each lot, and with the use of the same standardized material which will meet the specifications of the Barbourville Utility Commission. Plans and specifications for the sewage collector system shall first be approved by the Commission and thereafter by the Kentucky Natural Resources and Environmental Protection Cabinet.

c. After grading is completed and approved and before any base is applied, all of the underground work, including but not limited to water mains, sewer mains, all service connections, etc., shall be installed completely and approved by the appropriate authorities throughout the length of the road and across the flat section.

d. The appropriate tap-on or connection fee shall be paid by the applicant for all facilities connected directly or indirectly to BUC's water distribution system or sanitary sewer distribution system in accordance with BUC's current tap-on fee schedule.

8. Rights-of-Way and Easements

As a condition precedent to the extension of utility service(s), the prospective customer(s) shall provide necessary easements and right-of-way for Commission lines necessary to provide the incident service, and necessary to permit egress from the customer's property for the purpose of further extensions of the Commission's lines. The Commission shall have the right to enter upon the property and perform any necessary maintenance or repairs upon its lines or necessary line extensions. The taking of service by a customer shall constitute sufficient notice and acceptance of all terms and conditions of service herein set forth. However, in some instances the terms and conditions of service shall be set forth in a contract between the parties.

B. ADEQUACY OF EXISTING FACILITIES TO PROVIDE SERVICE

1. The point on the Commission's system from which an extension shall be considered to be made shall be the point where adequate capacity exists to provide the requested service at the present time and for the foreseeable future.

2. The fact that a Commission facility may exist in closer proximity to the applicant shall be immaterial if that facility is not of the proper size, type or configuration to provide the desired service as determined by the Commission.

C. FILING OF MAPS, PLATS AND EASEMENTS

1. Any application desiring an extension of electric, water or sewer service to any new residential subdivision shall file with the Commission the appropriate number of copies of all maps, plats, plans and specifications as required by the Commission and/or as outlined in the current Subdivision Regulations of the City of Barboursville. Such documents shall be submitted in a timely fashion, prior to any construction or site work, so that the location of necessary easements and rights-of-way may be determined.

3. After the finalized plats and other documents are filed with and approved by the proper Planning and Zoning Authority the required number of copies shall be supplied to the Commission.

D. CONSTRUCTION OF EXTENSIONS

1. All electrical extensions shall be built by the Commission or by contractors employed by the Commission, except in unusual circumstances. Should the Commission authorize all or part of any extension to be constructed by some other party, such construction shall be under the supervision of the Commission and in accordance with technical criteria established by the Commission.

2. Water and sewer extensions may be made by contractors approved by the Commission and employed by the party requesting services. Should the Commission authorize all or part of any

extension to be constructed by some other party, such construction shall be under the supervision of the Commission and in accordance with technical criteria established by the Commission.

3. Other Extensions - Contractual arrangements may be made for other water and sewer line extensions on an individual basis at the time of the application. The authority and responsibility to make such a determination rests solely in the Commission. Any such extension shall be made in accordance with the terms as outlined in Section II.A of these Rules and Regulations, "Extensions to be Feasible and Desirable".

4. The Commission reserves the right to determine the size, type, and manner of construction of all distribution main extensions.

5. Rights-of-Way and Easements – As a condition precedent to the extension of service, the prospective customer(s) shall provide necessary easements, and rights-of-way for the Commission lines necessary to provide the incident service, and necessary to permit egress from the customer's property for the purpose of further extensions of the Commission's lines. The Commission shall have the right to enter upon the property and perform any necessary maintenance or repairs upon its lines or necessary line extensions.

E. OWNERSHIP OF SERVICE EXTENSIONS

Title to the extension of electric, water and sewer lines and other related facilities shall vest in the Commission, other than extensions designated by the Commission to remain the private property of the applicant/owner/developer. The authority and responsibility to make such a determination rests exclusively in the Commission.

F. WATER AND SEWER BUILDING LINES

1. Water Service Lines and/or Sewer Laterals – Inside/Outside City Limits.

Any party desiring water or sewer services in an area where water and sanitary sewer lines currently exist shall make application for such services at the Commission office on the appropriate forms provided for same. Upon making proper application and payment of the appropriate tap-on and/or connection fees and deposits, the individual service taps may be provided. The Commission shall have no obligation to extend its water service lines or sanitary sewer lateral lines from the main water line or main sanitary sewer line to the property line of the applicant. Payment of the tap-on fee represents payment only for the privilege of connecting to the "tap" on the appropriate water or sanitary sewer line. The cost of extending the water service line or sewer lateral line from the tap on the Commission's main water line or main sewer line will be at the expense of the applicant. The Commission may choose to extend the water service line or sewer lateral line from the tap at the main utility line to the property line of the applicant after a determination of the economic feasibility and desirability of any such service line extension; however, the authority and responsibility to make such a determination rests solely in the Commission. The Commission shall determine the location of the meter vault, and may specify the size and type of water service lines and/or sanitary sewer lateral lines which shall be installed and owned by the customer from the water/sanitary sewer taps on the main lines to the

point of use. The BUC shall reserve the right to inspect such service lines prior to initiating service to insure compliance with its requirements.

2. Rights-of-Way and Easements

As a condition precedent to the extension of service, the prospective customer(s) shall provide necessary easements, and rights-of-way for the Commission lines necessary to provide the incident service, and necessary to permit egress from the customer's property for the purpose of further extensions of the Commission's lines. The Commission shall have the right to enter upon the property and perform any necessary maintenance or repairs upon its lines or necessary line extensions. The taking of service by a customer shall constitute sufficient notice and acceptance of all terms and conditions of service herein set forth. However, in some instances the terms and conditions of service shall be set forth in a contract between the parties.

3. Service Connection Charges

A service connection charge or tap-on fee shall be charged for each utility service provided in accordance with the provisions set forth in the Barbourville Utility Commission's connection/tap-on fee schedule(s).

G. TEMPORARY SERVICE DURING CONSTRUCTION

1. Temporary Electric Service

Temporary electric service for purposes of construction will be provided by the Commission provided the applicant shall provide suitable apparatus for accepting temporary service, or shall pay the entire costs of the installation and removal of the equipment and devices necessary to render such service, if provided by the Commission, and pays for the electricity consumed. The Commission shall refuse to connect any temporary service which is deemed to be unsafe. Before temporary electric service is rendered, the customer must supply the Commission with a Certificate of Compliance which has been executed by a certified electrical inspector who has been approved and so designated by the Commission.

2. Temporary Water and Sewer Service

Temporary water and sewer service shall not normally be provided. However, permanent service may be installed for use during construction provided the final grade has been established and all trenching in the vicinity of the meter vault has been completed.

H. PLANS AND SPECIFICATIONS APPROVAL

Plans and specifications for all electric, water and sanitary sewer line extensions shall be approved first by the Barbourville Utility Commission and thereafter by the appropriate local, state and federal regulatory agencies prior to the beginning of construction of the extension.

III. RATE SCHEDULES & TAP-ON FEES

All rates and other related charges for the use of electric, water and/or sanitary sewer facilities provided by the Barbourville Utility Commission of the City of Barbourville, Kentucky, shall be in accordance with current rate schedules from rate ordinances of the City of Barbourville and in accordance with all resolutions, rules, regulations and customary practices of the Barbourville Utility Commission of Barbourville, Kentucky.

A. RATE SCHEDULE

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1. ELECTRIC RATES: Effective December 1, 2008.

2. WATER RATES: Effective October 1, 2010

2-A SERVICE CHARGES: All metered general water service customers including fire meters shall pay a service charge based on the size of the meter installed. The service charge does not entitle the customer to any water.

3. SEWER RATES: Effective October 1, 2010.

Note: All utility rate schedules are subject to change and are available from the BUC Office upon request.

B. TAP-ON FEES

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1. WATER TAP-ON/CONNECTION FEE

Size of Water Tap* Inside City Outside City

3/4" \$ 500.00

1" \$ 950.00

2" \$1900.00

3" or Larger" By Contract @ BUC Cost By Contract @ BUC Cost or by Applicant

*Water tap includes water meter.

2. SEWER TAP-ON/CONNECTION FEE

Description Amount

1 Single Family Dwelling \$500.00

2. Multi-Family Dwelling \$400.00 per single family dwelling unit(4 units or less)

3. Multi-Family Dwellings and Trailer Courts \$300.00 per single family dwelling unit (more than four units)

4. Mobile Home Dwellings \$500.00 per mobile home

5. Motel – Hotel (no restaurant) \$300.00 per rentable room

6. Schools \$300.00 per classroom

7. Churches \$1,000.00

8. Restaurants \$0.60 per sq. ft. based on gross area of building \$1,000.00 minimum \$10,000.00 maximum

9. Office Buildings \$0.50 per sq. ft. based on gross area of building \$1,000.00 minimum \$10,000.00 maximum
10. Storage Buildings \$0.10 per sq. ft. based on gross area of building \$1,000 minimum \$3,000 maximum
11. Automotive Service Centers \$3,000.00 per location With Service Bays(s)
12. General Commercial Sales Facility \$0.15 per sq. ft. based on gross area of building (other than Restaurant or Office Bldg.) \$1,000 minimum \$10,000 maximum
13. Commercial Car Wash \$1,000 per service bay \$3,000 minimum \$6,000 maximum
14. Commercial Truck Wash \$2,000 per service bay \$5,000 minimum \$10,000 maximum
15. Laundromats \$3,000.00 minimum plus \$180.00 for each washing machine in excess of ten \$6,000.00 maximum
16. Commercial Dry Cleaning \$3,000.00 Operations
17. Nursing Home & Hospitals \$0.18 per sq. ft. based on gross area of building or addition thereto \$1,200.00 minimum \$6,000.00 maximum
18. Overnight Travel Trailer Park \$100.00 per rental space
19. Manufacturing Plants By Contract
20. Any other facility(s) By Contract
21. Any Combination of Numbers Total amount of all components 1 through 20 above

Note: All Water/Sanitary Sewer Tap-on/Connection Fees are subject to change without notice.