

P.S.C. NO. 4 – WATER
COMPANY: SARATOGA WATER SERVICES, INC.
INITIAL EFFECTIVE DATE: AUGUST 1, 2023

LEAF: 3
REVISION: 1
SUPERSEDING: 0

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- (3) If unsuccessful in attempting to obtain an actual reading, the Corporation will leave a meter reading card at the premises.
- (4) A meter is required for each premises.
- (5) The Company will furnish, install, and maintain the meter. Unless the meter register is set at zero, the Company shall attach a tag stamped with date and meter dial reading at the time of installation.
- (6) The customer will provide a location for the meter acceptable to the company and will be responsible for damage resulting from frost, backflow of hot water, or other such causes.
- (7) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, block access to, or tamper with any pipe, valve, meter, structure, appurtenance, or equipment which is a part of the water-works system.
- (8) The Company reserves the right to remove, test, and replace the meter.
- (9) The Company shall afford the customer an opportunity to verify the final reading of any water meter removed from the premises and obtain the customer's signature on a meter removal card which shows the date removed and reading.
- (10) Meters will be tested in conformation with rules of the Public Service Commission.

D. Estimated Bills

- (1) When the Corporation is unable to obtain actual meter readings, it may render an estimated bill. The conditions of allowable estimated bills are stated in Title 16 NYCRR 14.12 (b) (i-viii).
- (2) Estimated bills will be calculated in accordance with an established formula which takes into account the best available relevant factors for documenting the customer's usage.

E. No Access Procedure:

- (1) The Corporation will begin issuing No Access notices with the next cycle bill issued after a customer's bill is estimated for six consecutive months.

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I. Termination of Non-Residential Service

(1) Discontinuance for Nonpayment:

The Corporation may, after due notice as required by law, discontinue the supply of water to any and all premises of a customer if payment is not made to the Corporation of all money due from the customer for service supplied to such premises. The Corporation may refuse to supply service or additional service to an applicant or customer until all money due is paid.

(2) If a former customer who is indebted to the Corporation attempts by some agency, relationship or otherwise to obtain service, the Corporation reserves the right to refuse service until payment of all indebtedness for water service is made. Where a customer's service is discontinued for nonpayment of bills, the Corporation reserves the right to refuse to furnish service to said customer at the same or any other location, until all charges, including the reconnection charge specified below, shall have been paid and satisfactory assurance given to the Corporation that future bills will be paid promptly.

(3) Discontinuance for Non-Access

The Corporation may, after due notice, discontinue the supply of water to the premises if arrangements have not been made to read, change or inspect the Corporation's equipment. The Corporation may refuse to supply service until the work required has been completed.

(4) Discontinuance for Violation

The Corporation may after due notice, discontinue the supply of water to the premises if the customer's culpable conduct violated the rules and regulations of the Corporation. The Corporation will not restore the water supply until the violation has been removed.

J. Discontinuance of Service – Other

(1) Service rendered to any Service Classification or under any application, contract, or agreement may be discontinued by the Corporation after reasonable notice for any of the following reasons:

- a. For willful or indifferent waste of water due to any cause or for non-authorized use of water.

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- b. For failure to protect from damage the meter and connection, or for failure to protect and maintain the service pipe or fixtures on the property of the customer in a condition satisfactory to the Corporation.
 - c. For tampering with any meter, connections, service pipe, curb cock, seal or any other appliance of the Corporation controlling or regulating the customer's water supply.
 - d. For failure to provide the Corporation's employees reasonable access to the premises supplied, or for obstructing the way of ingress to the meter or any other appliances controlling or regulating the customer's water supply.
 - e. In case of vacancy of the premises.
 - f. For cross connections.
 - g. For sub-metering or reselling water.
 - h. For non-compliance with water usage restrictions.
 - i. For violation of any rule or regulation of the Corporation as filed with the Public Service Commission, provided such violation affects the reliability or integrity of the water system.
- (2) Written notice of discontinuance of service shall contain the information required by 16 NYCRR Section 533.3 and will be given except in those instances where a public health hazard exists.
- (3) The Corporation may, at any time, temporarily discontinue water service in case of accident, or for the purpose of making connections, alterations, repairs, changes, etc.
- (4) Except as stated in the preceding paragraph, or in the case of a violation that threatens the integrity of the water system, the Corporation shall not discontinue service to any customer on a Friday, Saturday, Sunday, Public Holiday or on a day when the Corporation is not open for business. Public Holiday shall refer to those holidays defined in the General Construction Law.

Issued by: Alexander Mackay, President, P.O. Box 2109, Ballston Spa, New York 12020

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K. Voluntary Third-Party Notice Prior to Termination of Residential Service

- (1) The Corporation will permit a customer to designate a third party to receive copies of all notices regarding termination of service or other credit actions sent to such customer, provided that the designated third party agrees in writing to receive such notices.
- (2) The Corporation will inform the third party that the agreement to receive notices does not mean the third party will pay for service provided to the customer.
- (3) The Corporation will promptly notify the customer in writing of the third party's refusal or cancellation of the agreement to receive notices.

L. Termination of Service to Entire Multiple Dwellings

(1) Required Notices

The Corporation will not terminate service to an entire multiple dwelling unless it fulfills all of the following requirements and provides the required written notice to:

the owner of the multiple dwelling or the party to whom the last preceding bill was rendered;

the superintendent or other person in charge of the multiple dwelling, if it can be readily determined that there is such superintendent or other person in charge;

the occupants of each unit;

the local health officer and the director of the subdivision in which the multiple dwelling is located; or

the mayor if the multiple dwelling is located in a city or village, or if there is none, the manager; or if the multiple dwelling is located in a town, the town supervisor; and the county executive of the county in which the multiple dwelling is located, or if there is none, the chairperson of the country's legislative body.

Issued by: Alexander Mackay, President, P.O. Box 2109, Ballston Spa New York 12020

Suspended to 02/29/2024 by order in Case 23-W-0155. See Supplement No. 2. The supplement filing date was 10/25/2023.
Effective date postponed to 09/01/2024. See Supplement No. 3.

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- (d) The Corporation referring such a case to the department of Social Services will continue heat-related service to the multiple dwelling or otherwise provide heat to the person who may suffer a serious impairment for at least 15 business days after the referral. The Corporation referring such a case will not thereafter terminate heat-related service to the dwelling during the cold weather period unless it otherwise provides heat to the person who may suffer serious impairment, or unless it is informed by the local department of Social Services that appropriate alternative arrangements to preclude a serious impairment to the health or safety have been made or that the claim of serious impairment is without merit. The Corporation thereafter intending to terminate service will provide at least five (5) calendar days, written notice to the occupants that heat related service will be terminated and must, if so notified by the department of Social Services, inform the individual of the finding of no serious impairment. Such notice will state that any occupancy may seek further review by the Commission.
- (e) If the Corporation is notified by the local department of Social Services that an occupant in a multiple dwelling where the heat-related service has been terminated by the Corporation may suffer a serious impairment to the health or safety, it will reconnect heat-related service, or otherwise provide heat to such person and continue such service.

M. Termination of Service to Two-Family Dwellings

- (1) If the Corporation knows that service is provided to a two-family dwelling, service will not be terminated unless the following requirements are complied with; provided, however, that where the Corporation knows that service is billed separately for each unit, this Section does not apply. The Corporation will keep a record of two-family dwellings.
- (2) The Corporation will not terminate service to a known two-family dwelling unless it provides written notice to:
- the owner of the premises or the party to whom the last preceding bill was rendered, and
- the occupants of each unit.

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N. Deferred Payment Agreements

(a) Corporation's Obligations

- (1) The Corporation will provide a written offer of a payment agreement, to an eligible residential customer or residential applicant at the following times:

not less than five (5) calendar days before the date of the scheduled termination of service for the nonpayment of arrears, as indicated on the final termination notice, or eight days, if mailed;

when payment of the outstanding charges is a requirement of acceptance of an application for service; and

when it renders a backbill which is more than \$100.00; however, the Corporation is not required to offer an agreement where the customer's culpable conduct caused or contributed to the underbilling.

- (2) When payment of outstanding charges is a requirement for reconnection, the Corporation will offer the customer a payment agreement in accordance with the provisions of this section. The Corporation will also inform the customer that he or she may have the agreement include any applicable reconnection charge and/or legal fee, specifying the amount of such charge.

- (3) The Corporation will negotiate in good faith with a customer or applicant in order to arrange a payment agreement that the customer or applicant is able to pay. A deferred payment agreement shall

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O. Reconnection of Service

- (1) The Corporation will reconnect service that has been terminated within 24 hours of the customer's request for reconnection, unless prevented by circumstances beyond the Corporation's control or unless a customer requests otherwise, under any of the following conditions:

upon receipt of the full amount of arrears for which service was terminated;

upon receipt of a signed payment agreement, covering the full amount of arrears for which service was terminated, and the receipt of a down payment, if required under that agreement;

upon the direction by the Public Service Commission or its designee; or

where the Corporation has received notice that a serious impairment to health or safety is likely to result if service is not reconnected. Doubts as to whether reconnection is required for health or safety reasons will be resolved in favor of reconnection.

- (2) Inability to Reconnect – wherever circumstances beyond the Corporation's control prevent reconnection of service within 24 hours, the Corporation will immediately attempt to notify the customer and reconnect service within 24 hours of the elimination of those circumstances.

- (3) Penalty – if a Corporation does not reconnect service within 24 hours, the Corporation will pay the customer for each day or portion of a day that service is not supplied after the date that service should have been supplied, as follows:

(i) \$50.00 per day or portion of a day in cases involving medical emergencies, the elderly, blind or disabled, heat-related service during the cold weather period, or where the Corporation has notice that serious impairment to health or safety is likely to result if service is not reconnected; or

(ii) \$25.00 per day or portion of a day in all other cases.