

**PSC No. 1 - WATER****COMPANY: NEW YORK AMERICAN WATER COMPANY, INC.****INITIAL EFFECTIVE DATE: OCTOBER 14, 2012**

Issued in compliance with order in Case 12-W-0217 dated 08/17/2012

**LEAF NO.: 42****REVISION: 0****SUPERSEDING REVISION:**

- .3.1.1(a) that said person shall advance to the Corporation a sum equal to the estimated cost of the required main extension, including service lines, hydrant installation. Said sum shall become the absolute property of the Corporation.
- .3.1.1(b) the title to the pipe and accessories so furnished and installed shall be and remain the property of the Corporation, its successors and assigns, which reserves the right to make further extensions to and lay lateral mains from the main installed for the applicant without obligation to applicant to make refund by reason of such extensions.
- .3.1.1(c) upon completion of the extension or extensions, the Corporation will promptly refund a sum equal to the amount, if any, by which the estimated cost exceeds the actual cost of construction plus associated income tax within 60 days after completion of the job or the Corporation's receipt of invoices whichever is later. If the deposit exceeds the actual cost by more than 20%, or if the excess, even if 20% or less, is not refunded within the prescribed time period, interest will be paid on the excess from the date of job completion or receipt of invoices. Interest shall be the unadjusted customer deposit rate or the applicable late payment rate, whichever is greater. Interest shall cease when a reasonable effort has been made by the Corporation to make a refund of any excess advance payment.
- .3.2 The Corporation will make refunds to the applicant as follows:
- .3.2.1 the total amount of the advance retained by the Corporation shall be refunded in the event that the number of customers times seventy-five (75) feet equals or exceeds the entire footage.
- .3.3 A partial refund will be made annually, from the date of completion of the extension, without interest, on the basis of the proportion that seventy-five (75) feet times the number of customers relates to the total extension length.
- .3.4 No further refunds will be made after 5 years after the date construction of the extension is completed and approved or after the total of all refunds equals the amount of the deposit.
- .3.5 Under any circumstances where special facts or conditions warrant deviation from the rules included herein, either the Corporation or applicant may apply to the Public Service Commission for relief of the above provisions.

**F. Frost Provision**Issued by: William M. Varley, President, 733 Sunrise Highway, Lynbrook, NY