

**PSC No. 5 - WATER****COMPANY: NEW YORK AMERICAN WATER COMPANY, INC.****INITIAL EFFECTIVE DATE: MAY 29, 2016****LEAF NO.: 46****REVISION: 0****SUPERSEDING REVISION:****VII. INSTALLATION OF SERVICES (CONTINUED)**

- 4.1.1.1. that said person shall advance to the Company 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 Company.
- 4.1.1.2. the title to the pipe and accessories so furnished and installed shall be and remain the property of the Company, 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.
- 4.1.1.3. upon completion of the extension or extensions, the Company 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 Company'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 Company to make a refund of any excess advance payment.
- 4.2. The Company will make refunds to the applicant as follows:
  - 4.2.1. the total amount of the advance retained by the Company shall be refunded in the event that the number of customers times seventy-five (75) feet equals or exceeds the entire footage.
- 4.3. 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.
- 4.4. 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.
- 4.5. Under any circumstances where special facts or conditions warrant deviation from the rules included herein, either the Company or applicant may apply to the Public Service Commission for relief of the above provisions.

**K. Frost Provision**

- 1. The Company may not be required, unless special arrangements are made, to install mains, services, hydrants and other facilities in ground which is frozen to a depth greater than six (6) inches. In case of installations pursuant to such special arrangements, the applicant may be required to pay the difference between the actual cost of installation and the estimated normal installation cost thereof.

Issued by: Brian K. Bruce, President, 60 Brooklyn Avenue, Merrick, New York 11566