

PSC No. 5 - WATER**COMPANY: NEW YORK AMERICAN WATER COMPANY, INC.****INITIAL EFFECTIVE DATE: MAY 29, 2016****LEAF NO.: 37****REVISION: 0****SUPERSEDING REVISION:****VII. INSTALLATION OF SERVICES**

See Section II, Definitions, beginning at Leaf No. 7 for the definition of terms used in this section.

A. Public Streets**1. Owner or Occupant**

- 1.1. Upon receipt of proper application from an owner or occupant of any property abutting on a public street, the Company will furnish, place, construct, operate, maintain and when necessary, replace at its own cost and expense the service pipe and connections within the territorial limits of the public street.

2. Stub Service

- 2.1. Whenever, at the request of an owner or occupant of any property abutting a public street, a service pipe is provided through which service is not immediately desired, said property owner or occupant shall bear the entire cost of the main extension and installed services (providing, placing and constructing the service pipe and accessories). The applicant shall be entitled to a refund, without interest, of the deposit as prescribed by 16 NYCRR §501.8 within thirty (30) days of taking service and demonstrating reasonable permanency. Such refund shall be the installed cost of said service pipe and accessories, less depreciation, at the rate of three percent (3%) per annum for the period which said pipe has been in the ground.

3. Real Estate Developer or Prospective Owner or Prospective Occupant

- 3.1. A person shall be deemed to be a prospective owner where title to the property has not passed to him or where in the event of a contract to purchase, less than ten percent (10%) of the purchase price has been paid by applicant prior to the date of application for service, except that a person qualifying under the Administrative Rules and Regulations under Section 203 and 222 of the National Housing Act, or under Title III of the Serviceman's Readjustment Act of 1944, as amended, shall be deemed to be an owner upon the signing of a contract for purchase within the provisions of said Act.
- 3.2. A person shall be deemed to be a prospective occupant unless occupancy is had under the terms of a lease for a period of one year or longer.
- 3.3. When application for water service is made by a real estate developer, a prospective owner or a prospective occupant of any property abutting on a public street, said real estate developer, prospective owner or prospective occupant shall agree to pay a deposit equal to the estimated cost of the service line installation including hydrants and the estimated cost of any paving replacement. The estimated cost will be furnished by the Company Engineering Department. The difference between the actual cost and the estimated cost will be returned to the prospective applicant, without interest, within sixty (60) days after the final cost is determined. The balance of the deposit will be returned to the prospective applicant sixty (60) days after a permanent customer has occupied the premises, provided the permanent customer has occupied the premises within five (5) years. No further refunds will be made after five (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.

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