

Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing
Rendering of Sewer Service

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* Indicates new rate or text

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65672

name of officer

President

title

118 State Dr. Hollister, MO

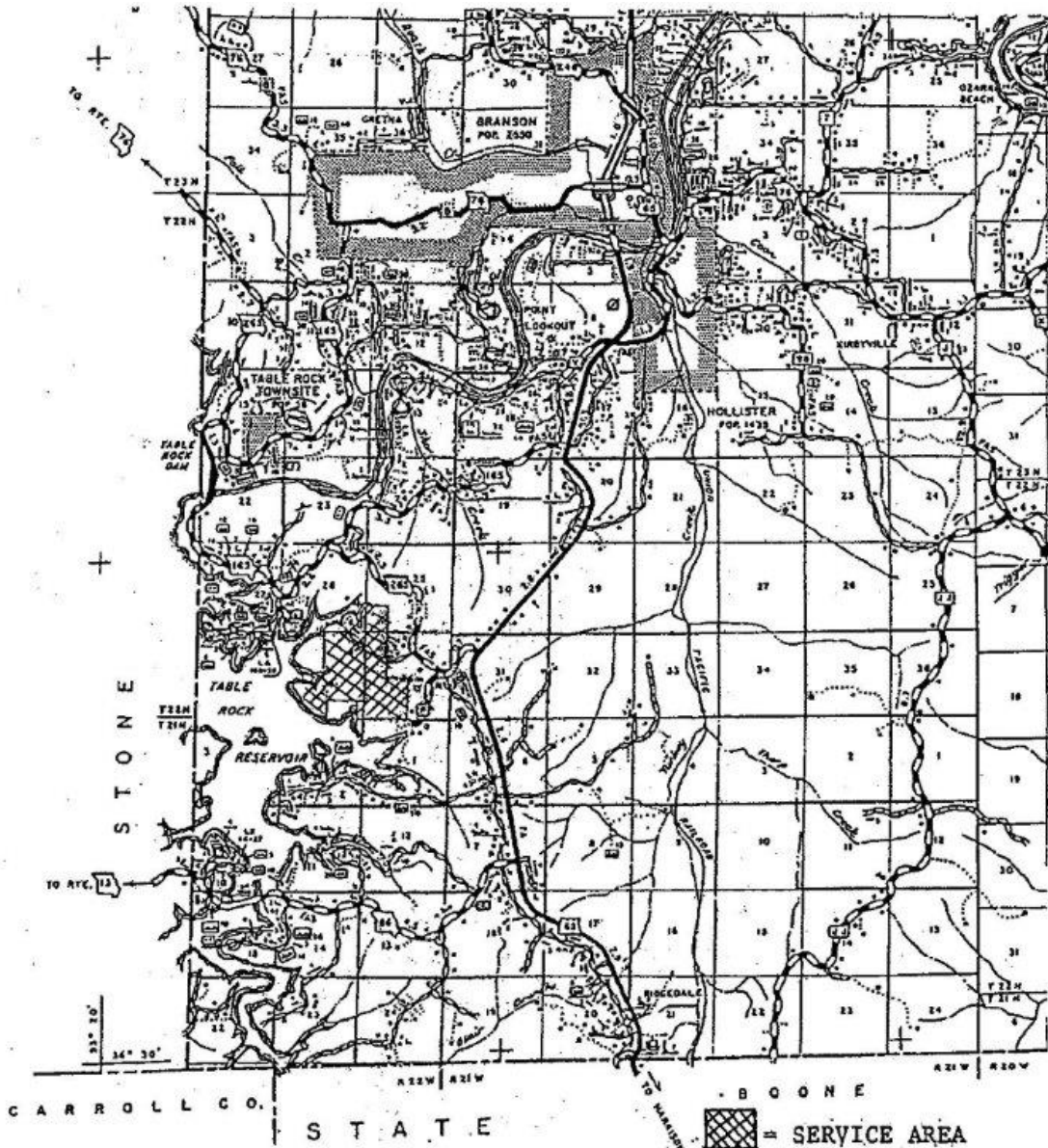
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Name of Utility: Emerald Pointe Utility Company

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Rules and Regulations Governing
Rendering of Sewer Service

Map of Service Area



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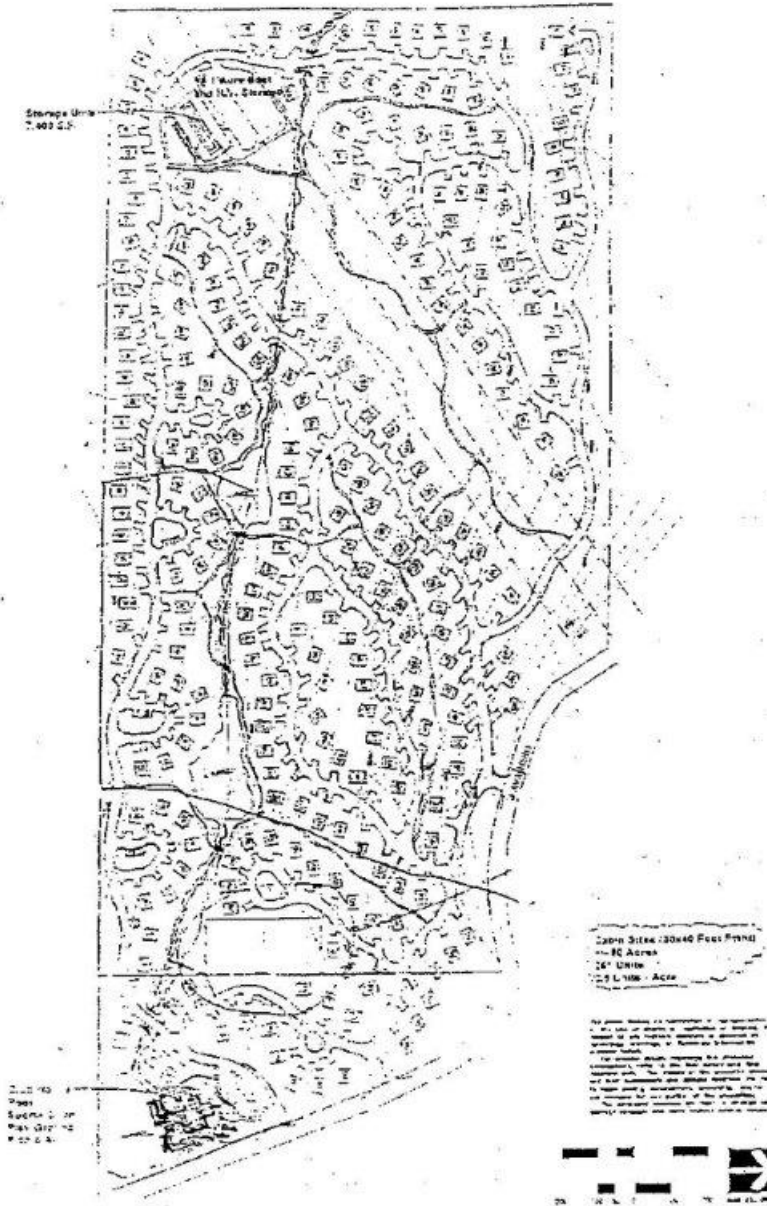
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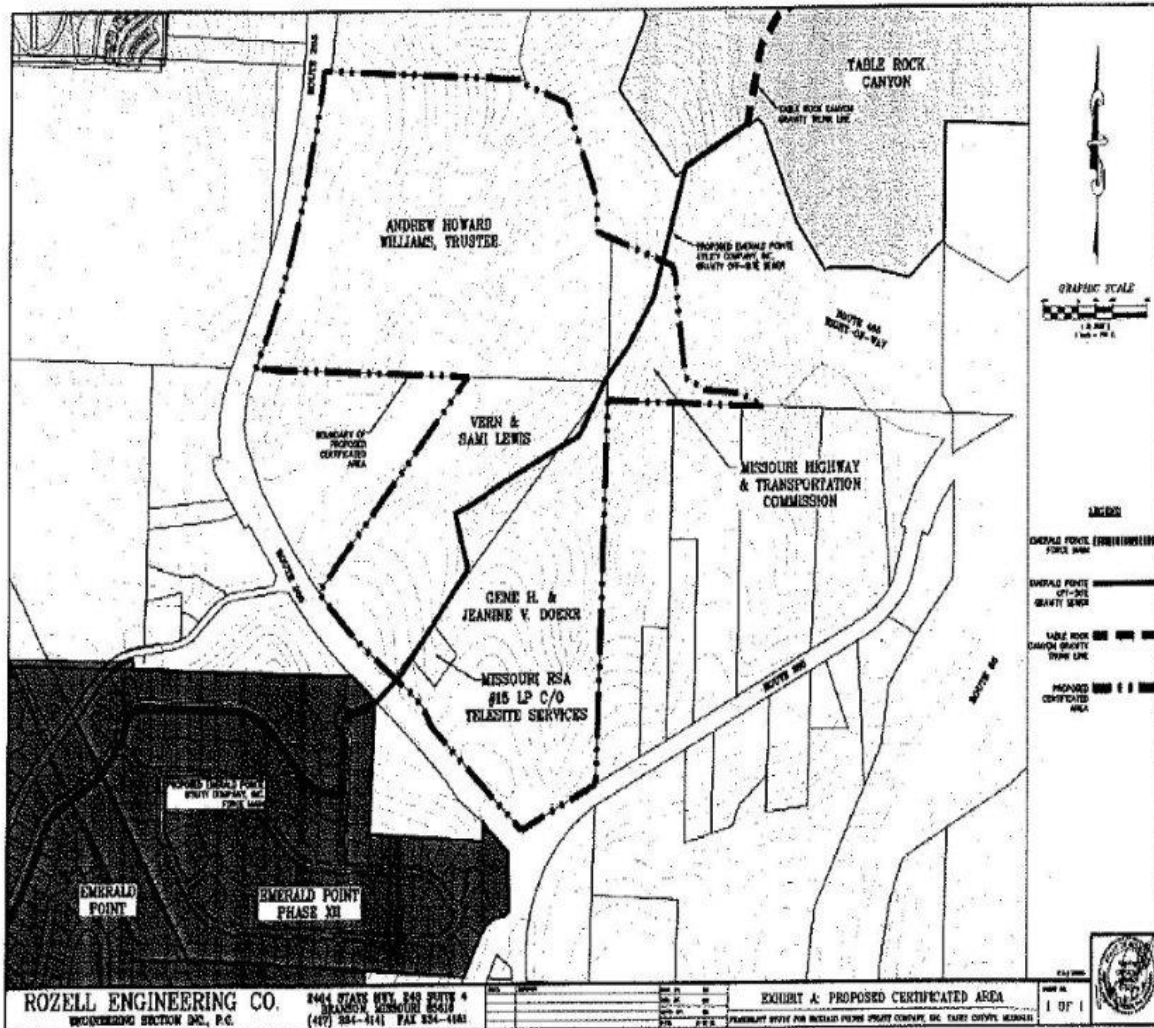
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Rules and Regulations Governing Rendering of
Sewer Service

Map of Service Area – Case No. SA-2012-0362



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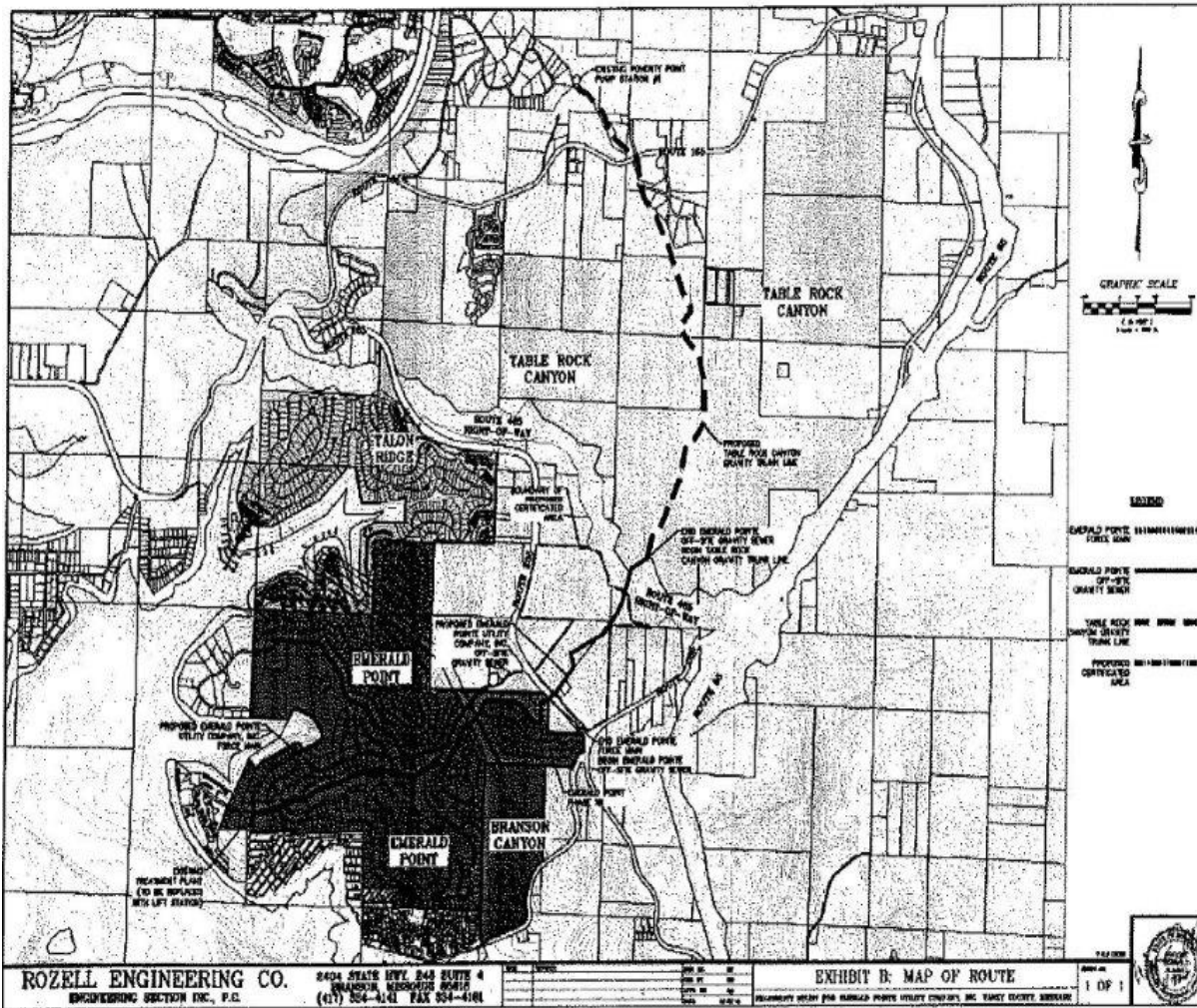
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Map of Service Area – Case No. SA-2012-0362



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Canceling P.S.C. MO No. 1

Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing Rendering of Sewer Service

Legal Description of Service Area
<p>Beginning at the Southeast Corner of the Southeast Quarter of the Southwest Quarter of Section 36, Township 22 North, Range 22 West, said point being a Missouri Department of Natural Resources Monument; thence N 88°14'49" W, along the South line of said Section 36, 1976.49 feet; thence leaving said South line of Section 36. N 00°54'57" E, 330.06 feet; thence N 88°11'55" W, 660.25 feet to the West line of said Section 36; thence along said West line of Section 36, N 01°10'04" E, 1035.36 feet to a stone, said stone being the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 36; thence N 89°48'37" W, 2622.33 feet to the Northeast Corner of the Southeast Quarter of the Southwest Quarter of Section 35, Township 22 North, Range 22 West; thence along the North line of said Southeast Quarter of the Southwest Quarter of Section 35, N 88°17'38" W, 640.00 feet; thence leaving said line, S 01°57'46" W, 341.35 feet; thence S 55°12'46" E, 315.77 feet; thence S 01°57'46" W, 300.00 feet to a point on the Corp of Engineers take line for Table Rock lake; thence along said take line N 55°12'46" W, 335.10 feet to Corp of Engineers Monument C 336-4; thence continuing along said take line N 43°57'01" W, 902.48 feet to Corp of Engineers Monument C 336-5/C 334-1; thence continuing along said take line N 24°38'11" W, 388.67 feet to Corp of Engineers Monument C 334-2; thence continuing along said take line N 16°55'32" W, 542.08 feet to Corp of Engineers Monument C 334-3; thence continuing along said take line N 01°01'39" E, 338.01 feet to Corp of Engineers Monument C 334-4; thence continuing along said take line S 60°36'45" E, 376.92 feet to Corp of Engineers Monument C 334-5/C 335-1; thence continuing along said take line S 87°58'13" E, 329.40 feet to Corp of Engineers Monument C 335-2; thence continuing along said take line S 60°49'41" E, 744.75 feet to Corp of Engineers Monument C 335-3; thence continuing along said take line N 27°26'55" E, 751.65 feet to Corp of Engineers Monument C 335-4/C 323-1; thence continuing along said take line N 65°04'15" E, 732.26 feet to Corp of Engineers Monument C 323-2; thence continuing along said take line N 27°35'15" E, 336.47 feet to Corp of Engineers Monument C 323-3; thence continuing along said take line N 87°04'58" W, 832.12 feet to Corp of Engineers Monument C 323-4/C 324-1-1, said monument being on the West line of the Northeast Quarter of said Section 35; thence along said West line of the Northeast Quarter of said Section 35, N 00°13'44" E, 675.77 feet to a stone, said stone being the Southwest Corner of the Northwest Quarter of the Northeast Quarter of Section 35; thence continuing said West line of the Northeast Quarter of Section 35, N 03°21'49" E, 1274.58 feet to Corp of Engineers Monument G 324-2-4/C 322-1, said monument being the Northwest Corner of said Northeast Quarter of Section 35; thence along the North line of said Section 35, S 88°02'47" E, 2646.95 feet to a stone, said stone being the Northeast Corner of said Section 35; thence N 01°43'53" E, along the West line of Section 25, Township 22 North, Range 22 West, 1318.98 feet to the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 25; thence along the North line of said Southwest Quarter of the Southwest Quarter of Section 25, N 87°56'54" E, 1319.63 feet to the Northeast Corner of said Southwest Quarter of the Southwest Quarter of Section 25; thence S 01°35'33" W, along the East line of said Southwest Quarter of the Southwest Quarter of Section 25, 1314.44 feet to the section line; thence S 01°51'49" W, along the West line of the Northeast Quarter of the Northwest Quarter of Section 36; thence S 87°42'10" E along the North line of the Southeast Quarter of the Northwest Quarter of said Section 36, 1326.37 feet to the Northeast Corner of said Southeast Quarter of the Northwest Quarter of Section 36; thence S 01°58'11" W, along the East line of West half of said Section 36, 3935.82 feet to the point of beginning.</p>

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Service Area: All Missouri Service Areas

Rules and Regulations Governing Rendering of Sewer Service	
Legal Description of Service Area	
<p>A tract of land situated in the part of the NW 1/4 of the NE 1/4 of Section 1, Township 21 North, Range 22 West, and part of the W 1/2 of the SE 1/4 of Section 36, Township 22 North, Range 22 West, Taney County, Missouri, Being more particularly described as follows:</p> <p>Beginning at an existing aluminum monument marking the Southwest corner of the W 1/4 of the SE 1/4 of Section 36: Thence North 01°38'25" East, a distance of 2670.34 feet, to an existing stone marking the Northwest corner of the W 1/4 of the SE Y. of Section 36; Thence South 86°59'15" East, a distance of 1329.13 feet, to an existing 1/2" iron pin marking the Northeast corner of the NW 1/4 of the SE 1/4 of Section 36; Thence South 01°49'05" West, a distance of 1321.57 feet, to an existing stone marking the Northeast corner of the SW Y. of the SE 1/4 of Section 36; Thence South 01°48'16" West, along the East line of the SW Y. of the SE Y. of Section 36, a distance of 425.69 feet to a point on the Northerly right-of-way line M.S.H.D. Route "P": Along the Northerly and Westerly right-of-way line of M.S.H.D. Route "P" as follows: Thence South 59°39'29" West, a distance of 34.06 feet; Thence Southwesterly along a 12.8072 degree curve to the left, 321.43 feet (said curve having a radius of 447.37 feet); Thence South 18°23'28" West a distance of 228.00 feet; Thence Southerly along a 9.3468 degree curve to the left, 273.55 feet (said curve having a radius of 613.00 feet); Thence South 07°10'37" East, a distance of 142.74 feet to a point on the South line of the SW 1/4 of the SE 1/4 of Section 36; Thence continuing South 07°10'37" East, a distance of 24.26 feet; Thence Southerly along a 27.4038 degree curve to the right, 284.63 feet (said curve having a radius of 209.08 feet); Thence South 70°49'19" West a distance of 570.30 feet; Thence South 56°26'26" West, a distance of 80.52 feet; Thence South 70°49'19" West a distance of 275.37 feet to a point on the Table Rock Lake Government Fee Taking Line; Thence North 24°43'55" West leaving the North right-of-way line of the read and along the Government Fee Taking Line, a distance of 113.01 feet, to a point on the West line of the NW 1/4 of the NE 1/4 of Section 1; Thence North 00°56'31" East along the West line of the NW Y. of the NE 1/4 of Section 1 a distance of 504.17 feet to the Point of Beginning.</p>	

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Service Area: All Missouri Service Areas

Rules and Regulations Governing
Rendering of Sewer Service

Legal Description of Service Area – SA 2012-0362

All that part of the South Half (S1/2) Lot 2 of the Southwest Quarter (SW1/4) of Section 30, Township 22 North, Range 21 West, Taney County, Missouri, which lies southerly of the southerly right-of-way line of Route 465 (as shown on the plan sheet for Missouri Department of Transportation Job No. J8P0623), containing 6.028 acres, more or less, lying in the southwesterly corner of said S 1/2 Lot 2 SW 1/4 of said Section 30. Together with, all of the South Half (S 1/2) of the Southeast Quarter (SE 1/4) lying East of Highway No. 265 and West of westerly right-of-way line of Route 465 (as shown on the plan sheet for Missouri Department of *Transportation* Job No. JSP0623), all in Section 25, Township 22 North, Range 22 West, Taney County, Missouri. And Together with, all of the East Half (E1/2) of the Northeast Quarter (NE1/4) and the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section 36, Township 22 North, Range 22 West, Taney County, Missouri, lying North and East of Highway No. 265; Except that parcel described in Warranty Deed recorded in Book 415, at Pages 9660 through 9662 of the Recorder's Office of Taney County, Missouri. Also: A twenty foot (20.0') wide strip of ground lying over and across a portion of the Northeast Quarter (NE1/4) of the Northeast Quartet: (NE1/4) and the South Half(S1/2) of the Northeast Quarter (NE1/4) of Section 36, Township 22 North, Range 22 West of the fifth principal meridian, Taney County, Missouri. The limits of the easement shall extended to, or truncate at the right-of-way limits of M.S.H.D. Route 265, All that part of the Grantor's land lying 10.00 feet on each side of the centerline described as follows: Commencing at an existing 1 1/2" iron pipe marking the Southwest corner of Section 30, T22 North, Range 21 West; Thence North 00°08'56" East a distance of 55.17 feet to an aluminum monument marking the Northeast corner of the NE1/4 of the NE1/4 of Section 36; Thence South 47°35'25" West, along the North line of a parcel of land described in Book 310, at Page 2976, of the Recorder's Office of Taney County, a distance of 1784.55 feet to a point on the Northerly right-of-way line of M.S.H.D. Route 265; Thence South 49°00'32" East, along the Northerly right-of-way line of M.S.H.D. Route 265, a distance of 42.93 feet to the Point of Beginning; Thence South 45°06'23" West a distance of 141.83 feet to the South right-of-way line of M.S.H.D. Route 265 for a Point of Terminus, Containing 2837 square feet of land, more or less.

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P.S.C. MO No. 3
Canceling P.S.C. MO No. 1
Name of Utility: Emerald Pointe Utility Company

Original Sheet No. 3.3

Service Area: All Missouri Service Areas

Rules and Regulations Governing Rendering of Sewer Service	
<p style="text-align: center;">Legal Description of Service Area – SA 2012-0362 (Continued)</p> <p>And Also: A twenty foot (20') wide strip of ground lying over and across a portion of the South half (S 1/2) of Lot 2 of the fractional Southwest Quarter (SW 1/4) of Section 30, Township 22 North, Range 21 West of the fifth principal meridian, Taney County, Missouri. The limits of the easement shall extend to, or truncate at the right-of-way line of M.S.H.D. Route 465, All that part of the Grantor's land lying 10.00 feet on each side of the centerline described as follows:</p> <p>Commencing at an existing 1 1/2" iron pipe marking the Southwest corner of Section 30, Township 22 North, Range 21 West; Thence North 00°08'56" East a distance of 55.17 feet to an aluminum monument marking the Northeast corner of the NE 1/4 of the NE 1/4 of Section 36, Township 22 North, Range 22 West; Thence North 01°52'42" East, along the West line of said Section 30, a distance of 646.64 feet to a point on the Southerly right-of-way line of M.S.H.D. Route 465, a distance of 273.80 feet to the Point of Beginning; Thence North 17°47'48" East a distance of 423.60 feet to a point on the Northerly right-of-way line of M.S.H.D. Route 465 for the Point of Terminus. Containing 8,473 square feet of land, more or less.</p>	

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Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing
Rendering of Sewer Service

Schedule of Rates

Sewer Service Rates:

Monthly Customer Charge (served by a 5/8" water meter)	\$46.22 per Month
Monthly Customer Charge (served by a 1" water meter)	\$105.57 per Month
Monthly Customer Charge (served by a 2" or larger water meter)	\$323.22 per Month
Monthly Usage Charge (for all usage > 2,000 gal/month)	\$3.32

Taxes:

All applicable Federal, State or local taxes shall be included in addition to the above charges.

- * Indicates new rate or text
- + Indicates change

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Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing
Rendering of Sewer Service

Schedule of Service Charges

Late Charges

A charge of five dollars (\$5.00) or three percent (3%) per month times the unpaid balance, whichever is greater, will be added to delinquent accounts.

Returned Check Charge

A returned check charge of twenty-five dollars (\$25.00) per check will be due on all checks returned from the bank for insufficient funds.

Disconnection/Reconnection

If sewer Discontinuance of Service in accordance with Rule 8 is accomplished by physical disconnection, then the charge for reconnection after such disconnection by the Company shall be the total actual cost of disconnection and reconnection.

Inspection Fee

A fee of thirty-five dollars (\$35.00) will be charged for inspection of a new service sewer and connection to the collecting sewer.

Re-Inspection Fee

A fee of twenty dollars (\$20.00) will be charged for any re-inspection of the new service sewer that is not the fault of the Company.

Service Calls

Service calls at any time other than during normal business hours for any reason except disconnection for a ruptured Customer's service shall require a service charge of forty dollars (\$40.00).

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Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing
Rendering of Sewer Service

Schedule of Service Charges (Continued)

New Service Connections

New service connection to Collecting Sewer will be the actual cost to the Company.

City of Hollister

The Company will collect, on behalf of the city of Hollister, a future capacity fee of one thousand dollars (\$1,000) on all new Customer service connections. The Company is required, by contract, to pay one thousand dollars (\$1,000) to the City of Hollister for each new Customer.

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Rules and Regulations Governing
Rendering of Sewer Service

RULE 1 DEFINITIONS

- A. An "APPLICANT" is a person, firm, corporation, governmental body, or other entity that has applied for sewer service and/or an extension of collecting sewers along with additional plant facilities; two or more such entities may make one application for a sewer extension, and be considered one APPLICANT. An "ORIGINAL APPLICANT" is an APPLICANT who entered into any contract or agreement with the Company for an extension of collecting sewers and/or additional plant facilities, contributed funds or utility plant assets to the Company under the terms of the contract or agreement, and is eligible for refunds under the terms of the contract or agreement as additional Applicants connect to such extensions or plant facilities.
- B. "B.O.D" denotes Biochemical Oxygen Demand. It is the quantity of oxygen utilized in the biochemical oxidation of waste matter under standard laboratory conditions expressed in milligrams per liter.
- C. "C.O.D" denotes Chemical Oxygen Demand. It is the quantity of oxygen utilized in the chemical oxidation of waste matter under standard laboratory conditions, expressed in milligrams per liter.
- D. A "COLLECTING SEWER" is a pipeline, including force pipelines, gravity sewers, interceptors, laterals, trunk sewers, manholes, lampholes, and necessary appurtenances, including service wyes and saddles, which is owned and maintained by the Company, located on public property or on private easements, and used to transport sewage waste from the Customer's service connection to the point of disposal.
- E. The "COMPANY" is Emerald Pointe Utility Company, acting through its officers, managers, or other duly authorized employees or agents.
- F. A "CUSTOMER" is any person, firm, corporation or governmental body which has contracted with the Company for sewer service, or is receiving service from the Company, or whose facilities are connected for utilizing such service.

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Rules and Regulations Governing
Rendering of Sewer Service

RULE 1 continued

- G. The "DATE OF CONNECTION" shall be the date the permit for a service connection is issued by the Company. In the event no permit is taken and a service connection is made, the date of connection shall be determined based on available information, such as construction/occupancy permits, or water or electric service turn-on dates.
- H. "DISCONTINUANCE OF SERVICE" is intentional cessation of the use of sewer service by action of the Company not at the request of the Customer. Such DISCONTINUANCE OF SERVICE may be accomplished by methods including physical disconnection of the service sewer, or turn-off of water service by the water utility at the request of the Company.
- I. "DOMESTIC SEWAGE" is sewage, excluding storm and surface water, resulting from normal household activities; and, "NON-DOMESTIC SEWAGE" is all sewage other than DOMESTIC SEWAGE including, but not limited to, commercial or industrial wastes. See Rule 6 - Improper Waste or Excessive Use.
- J. A "FOUNDATION DRAIN" is a pipe installed inside or outside the foundation of a structure for the purpose of draining ground or subsurface water away from the foundation.
- K. GRINDER PUMP UNIT or PUMP UNIT– a self contained facility consisting generally of a small tank, and an electric pump that is capable of pumping liquid waste with contained solids to a pressure collecting sewer for transportation of liquid waste with solids to a treatment facility. The Pump Unit is owned and maintained by the Company.
- L. "pH" is the relative degree of acidity or alkalinity of water as indicated by the hydrogen ion concentration. pH is indicated on a scale reading from 1-14, with 7.0 being neutral, below 7.0 acid, and above 7.0 alkaline; more technically defined as the logarithm of the reciprocal of the hydrogen ion concentration.

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Rules and Regulations Governing
Rendering of Sewer Service

RULE 1 continued

M. PRESSURE COLLECTING SEWER – a collecting sewer pipeline owned and maintained by the company, located within easements, used to transport wastewater under pressure to a treatment facility. A Pressure Collecting Sewer is sometimes referred to generically as a collecting sewer.

N. REPAIRABLE PARTS are pump motor, effluent pump or grinder pump, liquid level control, whether assembled as a unit or as separate components; also a heater, alarm system and check valve components, if installed. This does not include the tank and gravity service sewer piping from the dwelling structure or pressure service sewer piping to the Company’s collecting sewer. The Company is responsible for repair or replacement as needed for normal operations.

O. A “SADDLE” is a fitting that connects the Customer’s Service Sewer to the collecting sewer. The saddle clamps around the collecting sewer pipeline into which pipeline a hole is cut, and the Service Sewer is connected to the SADDLE thereby connecting it to the collecting sewer.

P. A "SERVICE CONNECTION" is the connection of a service sewer to the Company’s collecting sewer either at the bell of a wye branch or the bell of a saddle placed on the barrel of the collecting sewer.

Q. A "SERVICE SEWER" or “CUSTOMER’S SERVICE SEWER” is a pipe with appurtenances installed, owned and maintained by the Customer, used to conduct sewage from the Customer's premises to the collecting sewer, excluding service wyes or saddles and excluding pump units and associated tanks. The SERVICE SEWER is constructed, owned and maintained by the Customer.

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RULE 1 continued

- R. A "SUBDIVISION" is any land in the state of Missouri which is divided or proposed to be divided into two or more lots or other divisions of land, whether contiguous or not, or uniform in size or not, for the purpose of sale or lease, and includes resubdivision thereof.
- S. TANK – a watertight vessel which holds wastewater from the customer’s premises, and in which is installed the repairable parts, and includes associated electrical connections, and provides access from ground level to the repairable parts and for other maintenance.
- T. A “TEE” is a three-way one-piece pipe fitting in the shape of the letter “T” that is a part of the Collecting Sewer pipeline and to which the Customer’s Service Sewer is connected.
- U. "TERMINATION OF SERVICE" is the cessation of the use of sewer service requested by the Customer. Such TERMINATION OF SERVICE shall be accomplished by a method verified and recognized by the Company, and may include physical disconnection of the service sewer, termination or disconnection of water service by the water utility, or the Company's observation of non-occupancy of the unit served.
- V. The word "UNIT" or “LIVING UNIT” shall be used herein to define the premises or property of a single sewer user, whether or not that sewer user is the Customer. It shall pertain to any building whether multi-tenant or single occupancy, residential or commercial, owned or leased. Each mobile home in a mobile home park, and each rental unit of a multi-tenant rental property are considered as separate Units for each single family or firm occupying same as a residence or place of business.
- W. A “WYE” or “WYE BRANCH” or “Y” or “Y BRANCH” is a three-way one-piece pipe fitting in the shape of the letter “y” that is a part of the collecting sewer pipeline, and to which the Customer’s service sewer is connected.

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Rules and Regulations Governing
Rendering of Sewer Service

RULE 2 GENERAL MATTERS

- A. Every Customer, upon signing an application for service or accepting service rendered by the Company, shall be considered to have expressed consent to be bound by these Rates, Rules and Regulations.
- B. The Company's Rules and Regulations governing rendering of service are set forth in the numbered sheets of this tariff. The rates applicable to appropriate class of service are set forth in Rate Schedules and constitute a part of this tariff.
- C. The Company reserves the right, subject to approval from the Missouri Public Service Commission, to prescribe additional rates or to alter existing Rates or Rules as it may deem necessary or proper.
- D. At the effective date of these Rules, all new facilities, construction contracts and written agreements shall conform to these Rules in accordance with the statutes of the State of Missouri and authority of the Missouri Public Service Commission. Pre-existing facilities that do not conform with these Rules and Regulations may remain, if said facilities do not cause any service problems and reconstruction is impractical.
- E. The Company shall have the right to enter upon the Customer's premises for the purpose of inspecting for compliance with these Rules and Regulations. Company personnel shall identify themselves and such inspections shall be conducted during reasonable hours.

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Rules and Regulations Governing
Rendering of Sewer Service

RULE 3 LIMITED AUTHORITY OF COMPANY EMPLOYEES

- A. Employees or agents of the Company are expressly forbidden to demand or accept any compensation for any service rendered to its Customers except as covered in the Company's Rates, Rules and Regulations.
- B. No employee or agent of the Company shall have the right or authority to bind it by any promise, agreement or representation contrary to the letter or intent of these Rates, Rules and Regulations.
- C. The Company shall not be responsible in damages for any failure to remove waste water from the premises or for interruption if such failure or interruption is without willful default or negligence on its part.
- D. The Company shall not be liable for damages resulting to Customer or third persons, unless due to contributory negligence on the part of the Company, and without any contributory negligence on the part of the Customer or such third party.
- E. The Company shall not be liable for damages because of any interruption of sewer service or for damages caused by defective piping and appliances on the Customer's premises.
- F. The Company shall not be liable for damages due to damages from acts of God, civil disturbances, war, government actions, and other uncontrollable occurrences.

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name of officer

President

title

118 State Dr. Hollister, MO

address

Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

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RULE 4 APPLICATIONS FOR SEWER SERVICE

- A. A written application for service, signed by the Customer, and accompanied by the appropriate fees as provided in the Schedule of Rates, the Schedule of Service Charges, Rule 10 - Extension of Collecting Sewers, and other information required by these Rules, must be received from each Customer. Said application must be filed in writing twenty-four (24) hours in advance stating the street, house number, name of the applicant, name of the property owner, and the time, at which connection is to be made. The Company shall have the right to refuse service for failure to comply with the Rules herein, or if the Customer owes a past due bill not in dispute for sewer service at any location within the Company's service area. In any case where a collecting sewer extension or unusual construction or equipment expense is necessary to furnish the service, the Company may require a contract for service specifying a reasonable period of time for the Company to provide the service. If the Customer is a tenant, the Company shall notify the owner of the property or owner's property manager or other agent that the owner or property manager may be responsible for payment of the sewer service bill associated with the application.
- B. A prospective Customer shall, upon request of the Company, present in writing to the Company a list of devices that will discharge to the collecting sewers, the amount and specifications of any discharge, and the location of any buildings. The Company will then advise the Customer of the form and the character of the wastewater collection facilities available. If a sewer extension as provided for in Rule 10 - Extension of Collecting Sewers will be necessary, or if the Customer will be required to own, operate, and maintain a pretreatment facility, the Customer will also be so advised.
- C. When sewer charges are based on water usage, the Company reserves the right to refuse sewer service to any applicant unless said applicant agrees to install a water meter accessible by the Company, so that there will be a basis for sewer charges. The Company and Customer may agree to an estimated water use amount, on an interim basis for a period not to exceed six (6) months, to allow time to install suitable metering equipment.

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RULE 4 continued

- D. The Company will determine or approve the location of the service connection. Service sewers will not be extended along public streets or roadways or through property of others in connecting with collecting sewers. If a service connection is requested at a point not already served by a collecting sewer of adequate capacity, the collecting sewer shall be extended in accordance with Rule 10 - Extension of Collecting Sewers, unless in the Company's judgment such a collecting sewer would serve no other purpose and a service sewer may be constructed to serve the Customer's premises in a reasonable manner.
- E. A new service connection shall be authorized when all conditions in Rule 2 – General Matters and Rule 5 – Inside Piping and Customer Service Sewer, regarding application, construction and inspection provisions, are met.
- F. No substantial addition to the water using equipment or appliances connected to the sewer system shall be made by Customers discharging non domestic sewage except upon written notice to and with the written consent of the Company.

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RULE 5 INSIDE PIPING AND CUSTOMER SERVICE SEWER

- A. The Customer is obligated to construct, repair, and maintain the service sewer from the collecting sewer to the building, and make the connection to the collecting sewer. The Customer shall notify the Company prior to cleaning or repairing the service sewer.
- B. When a service sewer is to be connected to the collecting sewer, the plumber shall advise the Company twenty-four (24) hours in advance of when the connection is expected to be made so a representative of the Company can inspect the installation and connection. No backfill shall be placed until the work has been inspected by the Company. In the event the Customer or the Customer's agent shall damage a wye branch or saddle, or cause damage to the collecting sewer, then the Customer shall be responsible for the cost to repair any such damage, including replacement of pipe or appurtenances as necessary.
- C. Plumbing specifications of all governmental agencies having jurisdiction, and the Company's Rules, in effect at the time of connection, must be met. The Company may deny service or may discontinue service where foundation drains, downspouts, or other sources of surface or storm water are permitted to enter the sewer system through either the inside piping or through the building sewer.
- D. A separate and independent service sewer shall generally be required for every building. Exceptions are:
 - 1. When one building stands at the rear of another building on an interior lot where a proper service sewer cannot be constructed through an adjoining easement. In that situation, the service sewer from the front building may be extended to the rear building and it will be considered as one service sewer; or
 - 2. When two or more buildings are a part of a complex that cannot be subdivided.

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RULE 5 continued

- E. The service sewer shall be one of the following: ductile iron pipe, vitrified clay sewer pipe (VCP), or polyvinyl chloride pipe (PVC), American Society for Testing and Materials (ASTM) specification or equal; or other suitable material approved by the Company. Only those jointing materials and methods that are approved by the Company may be used. Joints shall be tight and waterproof. Any part of the service sewer that is located within ten feet (10') of a water main or water service pipe shall be constructed of ductile iron or PVC pressure pipe. The pipe shall be bedded according to the manufacturer's specifications and on undisturbed earth or fill compacted to at least ninety-five percent (95%) proctor density. Fill may be non-organic soil or aggregate.
- F. The size and slope of the service sewer shall be subject to the approval of the Company, but in no event shall the diameter be less than four inches (4"). The slope of such four inch (4") pipe shall not be less than one-eighth inch (1/8") per foot.
- G. Whenever possible, the service sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet (3') of any bearing wall. The depth shall be sufficient to afford protection from frost. The service sewer shall be laid at a uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipes and fittings.
- H. Existing service sewers may be used in connection with new buildings only when they are found on examination and test to meet all requirements of the Company.
- I. In any building in which a building drain is too low to permit the required slope of the service sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the service sewer. No water operated sewage ejector shall be used.

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RULE 5 continued

- J. All excavations required for the installation of a service sewer and connection to the collecting sewer shall be open trench work unless otherwise approved by the Company. Pipe laying and backfill shall be performed in accordance with the latest published engineering specifications of the manufacturer of the materials used, and all applicable local plumbing codes.
- K. The connection of the service sewer to the collecting sewer shall be made at the wye branch, if such branch is available at a suitable location. If the collecting sewer is vitrified clay pipe of twelve inch (12") diameter or less and there is no properly located wye branch at a suitable location, a wye branch shall be installed at a location specified by the Company. If the collecting sewer is greater than twelve inches (12") in diameter, or is PVC of any size, a neat hole may be cut at a location specified by the Company, and a saddle installed to which the service sewer will be connected. The invert of the service sewer at the point of connection shall be at the centerline or higher elevation of the collecting sewer. The connection shall be secure and watertight.
- L. Any change in the location of an existing service connection and/or service sewer requested by the Customer shall be made at the Customer's expense.
- M. Company personnel may not work on piping or facilities not owned by the Company unless authorized by the Customer.

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RULE 6 PRESSURE COLLECTING SEWERS

- A. This rule applies to customers on a pressurized collection system, and is not applicable to customers on a gravity collection system. Rules not applicable specifically to gravity collecting sewers or gravity service sewers also apply in addition to these Rules herein.
- B. The Company shall own and maintain pump units. Initial installation shall be accomplished by the Customer or the Customer's agent after obtaining the pump unit and all associated plumbing parts and valves. Electrical parts and wiring necessary to connect the pump unit to the Customer's building electric shall be the responsibility of the Customer. In certain areas, ownership of pump units may, previous to the effective date of these rules, lie with the Customer, or may be indeterminate. It is therefore the intent of these Rules and Regulations that the Company shall, in such areas, assume the responsibility and expense for maintenance of all pump units. When, in the opinion of the Company, such a pump unit is in need of replacement, the Company shall make the replacement at its own expense. The Company will hold title to all such pump units installed by the Company.
- C. Electricity costs for pump operation shall be the responsibility of the Customer.
- D. The Company will locate the point to which the service connection to the pressure collecting sewer will be made. All taps to the pressure collecting sewer shall be done by the Company. One connection shall not service more than one property.
- E. A stop cock shall be placed on the service sewer near the service connection. Said stop cock shall include a provision for locking. The stop cock will be furnished, owned and maintained by the Company.

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RULE 6 continued

- F. In addition to other methods outlined within these Rules for discontinuance of sewer service, sewer service may be disconnected by the Company by locking the stop cock in the closed position. Service shall not be resumed again except upon payment of all delinquent charges, plus any applicable approved service charge to cover the costs of effectuating resumption of service, in accordance with these Rules.
- G. The gravity service sewer from the building to the pump unit, the tank, and the pressure service sewer from the pump unit to the collecting sewer shall be owned and maintained by the Customer. The Customer shall also install a check valve near the service connection.
- H. The Company shall perform two preventive maintenance calls per year on each pump unit in service. Normally, these will be made in the spring and fall seasons. Preventive maintenance shall consist of the following work:
 - 1. Pull and clean liquid level control device if a separate component,
 - 2. Run controls, including alarm system, through one complete cycle,
 - 3. Check the check valves for proper operation. Clean or replace as necessary, and,
 - 4. Check, and if necessary, remove solid waste from tank.
- I. The Company shall be responsible for maintenance and replacement of the repairable parts, and shall perform emergency repairs on said parts. At the Company's option, an emergency service call may constitute a preventive maintenance call if a reasonable amount of time has elapsed since the last preventive maintenance call, and if all other maintenance checks are performed.

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RULE 6 continued

- J. Preventive maintenance calls, service calls for repairable parts, and repairable parts shall be provided at no extra charge to the Customer for replacement of defective parts or any parts damaged by lightning. The Company, however, shall not be liable for parts or labor necessary due to damage caused by misuse of the pump unit.
- K. For every 100 pump units in service, the Company shall have on hand two of each component of the electric grinder pumps or effluent pumps and repair kits if available, five liquid level control units if separate from the electric pumps, and an adequate supply of check valves. The Company shall have at least one of each of the above items for each brand or type of pump in use.
- L. The Company shall present to the Customer, at the time of application for service, information regarding what services are available from the Company, and what will be provided free of charge.

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RULE 7 IMPROPER OR EXCESSIVE USE

- A. The following requirements for the use of sewer service provided by the Company shall be observed. Violation of the requirements will result in the discontinuance of service to the Customer, and the Customer may be required to comply with Paragraph B., below.
- B. In the event that the Customer to be served proposes to discharge an abnormally high volume or strength of waste, the Company may require:
 - 1. The Customer to install a pretreatment facility, grease trap or other device on the premises to prevent the exceeding of discharge limits or other adverse impacts upon the Company's system. The installation of any such device as well as its operation and maintenance shall be the responsibility of the Customer, and subject to approval and inspection by the Company; or
 - 2. The Customer to enter into a special contract with the Company for treatment of the Customer's discharge that could require an enlargement of the Company's existing sewage treatment plant or the construction of a temporary sewage treatment plant, and/or the construction or reconstruction of sewer lines or pump facilities. This special contract shall be in a form approved by the Missouri Public Service Commission with a rate applicable to the Customer to be included within this Schedule of Rates, Rules, and Regulations, that is fair and reasonable to both parties and so as not to constitute a burden upon the Company or the existing Customers of the Company.
- C. No Customer shall discharge or cause to be discharged any storm water, surface water, ground water, swimming pool water, roof runoff, sub-surface drainage, or cooling water into the collecting sewers.

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RULE 7 continued

D. Except as may be provided in Paragraph B.2., above, the Customer shall be required to take any action necessary to meet the following described wastewater limits before the wastewater is discharged into the collecting sewer:

1. Maximum temperature of 150 degrees Fahrenheit; and
2. Maximum strength of four-hundred (400) parts per million Biological Oxygen Demand (B.O.D.); and
3. A maximum of one-hundred (100) parts per million, by weight, any fat, oil or grease; and
4. A maximum of twenty-five (25) parts per million, by weight, any soluble oils; and
5. No gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas; and
6. No garbage that has not been properly shredded; and
7. No ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewer system; and
8. No waste-water having a pH less than 5.0 or greater than 9.0, or having any other corrosive property, capable of causing damage or hazard to structures, equipment or personnel of the Company; and
9. No waste-water containing heavy metals, toxic material, or Chemical Oxygen Demand (C.O.D.), in sufficient quantity to disrupt the operation of treatment facilities, or exceeding any limits which may be specified in a service contract for any such substance.

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RULE 8 DISCONTINUANCE OR TERMINATION OF SERVICE

- A. The Company reserves the right of discontinuance of service for any of the following reasons:
1. For nonpayment of the sewer utility bill (see Rule 9); or
 2. For unauthorized resale of sewer service; or
 3. For an unauthorized service connection to the Company's collecting sewer; or
 4. For failure to comply with these Rules and Regulations.
- B. Discontinuance of service may be accomplished, but not limited to, physical disconnection of the Customer's service sewer from the Company's collecting sewer. Discontinuance of sewer service for non-payment of a sewer bill may be accomplished either by physical disconnection or by discontinuance by turn-off of water service by the Customer's water utility at the request of the Company. In such cases where discontinuance is accomplished by turn-off of water service:
1. If sewer billing is combined with water billing, Customers will be notified by the water utility by the terms of its Rules normally practiced for discontinuance of water service; or
 2. If sewer billing is not combined with water billing, Customers will be notified by the terms of Paragraphs F. and H., below, and not by those of any water utility.
- C. Discontinuance of service to a Customer for any reason as outlined in Paragraph A., above, shall not prevent the Company from pursuing any lawful remedy by action at law or otherwise for the collection of monies due from the Customer.

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RULE 8 continued

- D. In the event of discontinuance of service by the Company for any reason as outlined in Paragraph A., above, then any monies due the Company shall become immediately due and payable.
- E. The Company reserves the right of discontinuance of service to a Customer, or to refuse service to any applicant or for any unit to reasonably protect itself against fraud or abuse.
- F. Unless discontinuance is accomplished by turn-off of water service and discontinuance notice is provided by the water utility as provided for in Paragraph B.1., above, then at least thirty (30) days prior to discontinuance of service, the Company will mail a written notice to the Customer by certified mail, return receipt requested, with a copy of the notice sent to the Public Service Commission and a copy to the property owner if different than the Customer and if known by the Company. Said notice shall state the reasons for discontinuance of service, the amount of money owed if for a past due bill including the amount of any service charges owed, and that service may be discontinued at any time after the expiration of the notice period, provided satisfactory arrangements for continuance of the service have not been made by the Customer. The thirty (30) day notice may be waived if there is any waste discharge that might be detrimental to the health and safety of the public, or cause damage to the sewer system. In the event of discontinuance of service without the thirty (30) day notice as above provided, the Customer and the Missouri Public Service Commission shall be notified immediately with a statement of the reasons for such discontinuance of service. If service is provided to a multi-tenant building or complex, the Company will make an effort to notify tenants by door hangers or other type of notice of the possibility of discontinuance of service.
- G. Reconnection of any Customer after discontinuance of service by authority of this Rule will be made subject to payment of the cost of reconnection.

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RULE 8 continued

- H. Where the owner of rental property is the Customer and has been notified of the intent of discontinuance of service, the tenants shall be given the opportunity in a reasonable and timely manner to pay delinquent bills in lieu of disconnection of service.
- I. Termination of service at the Customer's request may be accomplished at the expense of the Customer. If termination of service must be accomplished by physical disconnection, the Customer shall notify the Company of the date and time of the disconnection in writing at least five (5) days prior to the disconnection. If termination is accomplished by turn-off of water service, such notice shall be on or before the date of the water turn-off. Service may not be terminated for one unit of a multi-unit building if the building is served by one service sewer, unless accomplished by turnoff of water service to that unit. The method used for termination of service shall be determined by the Company.

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RULE 9 INTERRUPTIONS IN SERVICE

- A. The Company reserves the right to limit sewer service in its collecting sewers at any time, in a reasonable and non-discriminatory manner, for the purpose of making repairs to the sewer system.
- B. Whenever service is limited for repairs, all Customers affected by such limitation will be notified in advance whenever it is practicable to do so. Every effort will be made to minimize limitation of service.
- C. No refunds of charges for sewer service will be made for limitations of service unless due to willful misconduct of the Company.

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RULE 10 BILLS FOR SERVICE

- A. The charges for sewer service shall be at the rates specified in this tariff, which is on file with the Missouri Public Service Commission and at the Company's office. The point of assumption of sewer service shall be at the service connection. Service charges for connection or disconnection are set forth in the Schedule of Service Charges.
- B. A Customer who is or has been taking sewer service at one or more units connected to the collecting sewer shall be held liable for payment of any applicable charges for service furnished to such units from the date of connection until the date requested by the Customer in writing for service to be terminated, or until service is discontinued by the Company.
- C. Bills for sewer service will be mailed or delivered to the Customer's last address as shown by the records of the Company, but failure to receive the bill will not relieve the Customer from the obligation to pay the same.
- D. Payments shall be made at the office of the Company or at a convenient location designated by the Company, or by mailing to the Company's mailing address.
- E. Separate bills shall be rendered for each location at which sewer service is provided, even though one entity may be the Customer at such separate locations.
- F. The Company shall have the right to render bills monthly in advance, or on a monthly basis in arrears when the sewer charges are based on water usage. Bills shall have the due date indicated on the bill.
- G. Neither the Company nor the Customer will be bound by bills rendered under mistake of fact as to the quantity of service rendered or as a result of clerical error. Customers will be held responsible for charges based on service provided.

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- H. Billings will be made and distributed at monthly intervals. Bills will be rendered net, bearing the last date on which payment will then be considered delinquent. The period after which the payment is considered delinquent is a minimum of twenty-one (21) days after rendition of the bill. Service may be discontinued after thirty (30) days written notice by certified mail return receipt requested from the Company as provided by Rule 7 - Discontinuance or Termination of Service. Delinquent bills are subject to a late charge as provided in the Schedule of Service Charges.
- I. When bills are rendered for a period of less than a complete billing period due to the connection or termination of service, the billing shall be for the proportionate part of the monthly charge, or where water usage is the basis for the charge, at the appropriate rate for water used. Customers terminating after taking service for less than one month shall pay not less than the monthly minimum.
- J. The owner of the property served will be held responsible for ultimate payment of a bill. Copies of all notices of violations of the Rules, or of disconnection of service shall also be sent to the owner of the property

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RULE 11 EXTENSION OF COLLECTING SEWERS

- A. Collecting sewers will be extended within the Company's certificated service area, at the applicant's cost, if service is requested by the applicant at a location where facilities do not exist (the "applicant" is sometimes referred to in this Rule as the "original applicant"). The applicant shall enter into a contract with the Company. The applicant may choose to have the Company perform all work under the terms and conditions of Paragraph C., below, or have a private contractor perform the work under the terms and conditions of Paragraph D., below. For purposes of this Rule, an extension could include, in addition to a collecting sewer, one or more pump station or treatment plant facilities, as necessary to provide the service.
- B. The pipe used in making extensions shall be of a type and size which will be reasonably adequate for the area to be served. Such determination as to size and type of pipe shall be left solely to the judgment of the Company. If the Company desires a pipe size, lift station, treatment plant, or any other facility larger than reasonably required to provide service to the applicant, the additional cost due to larger size shall be borne by the Company.
- C. The Company will extend collecting sewers for the applicant under the following terms and conditions:
 - 1. Upon receipt of written application for service as provided in Rule 4, Applications for Service, the Company will provide the applicant an itemized estimate of the cost of the proposed extension. Said estimate shall include the cost of all labor and materials required, including reconstruction of existing facilities if necessary, and the direct costs associated with supervision, engineering, permits, and bookkeeping. Applicable income tax cost calculated at the maximum rate will be added to this estimate.

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2. The applicant shall enter into a contract with the Company for the installation of said extension and shall tender to the Company a contribution-in-aid-of-construction (CIAC) equal to the amount determined in Paragraph C.1., above, plus any appropriate fees as provided in the Schedule of Rates or the Schedule of Service Charges.
 3. If, as a result of reasonably unforeseen circumstances, the actual cost of the extension exceeds the estimated cost of the extension, the applicant shall pay the additional cost.
- D. When the applicant elects to construct an extension, the Company will connect said extension to its existing collecting sewers under the following terms and conditions:
1. Applicant shall enter into a contract with the Company which provides that the applicant construct said collecting sewers and/or other facilities to meet the requirements of all governmental agencies and the Company's Rules and Regulations. Plans for the extension shall be submitted to the Company for approval prior to construction. Applicant's choice of construction contractor is subject to approval by the Company. Applicant shall contribute said facilities to the Company with a detailed accounting of the actual cost of construction, and contribute to the Company the estimated reasonable cost of the Company's inspection.
 2. The Company, or its representative, shall have the right to inspect and test the extension prior to connecting it to the existing collecting sewers and acceptance of ownership.
 3. Connection of the extension to existing Company collecting sewers shall be made by, or under direct supervision of, the Company or its representative.

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65672

name of officer

President

title

118 State Dr. Hollister, MO

address

Name of Utility: Emerald Pointe Utility Company

Service Area: All Missouri Service Areas

Rules and Regulations Governing
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RULE 11 continued

4. The Company shall have the right to refuse ownership and responsibility for the sewer extension until applicant has met the contractual obligations as provided in Paragraph D.1., above.
- E. The cost to additional applicants connecting to the sewer contributed by the original applicant shall be as follows:
 1. For a single-family residential applicant applying for service in a platted subdivision, the Company shall divide the actual cost of the extension, including income tax impact if any, by the number of lots abutting said extension to determine the per lot extension cost. When counting lots, corner lots which abut existing sewers shall be excluded.
 2. For a single-family residential applicant requesting service to areas that are not platted in subdivision lots, the applicant's cost shall be equal to the total cost of the extension times one hundred feet (100') divided by the total length of the extension in feet.
 3. For an applicant that is not a single family residence as described in E.1. or E.2., above the cost will be multiplied by a water usage factor, as appropriate. The water usage factor shall be determined by dividing the average monthly usage in gallons by 7,000 gallons, but shall not be less than 1.
- F. Refunds of contributions shall be made to the original applicant as follows:
 1. Should the actual cost of an extension constructed by the Company under Paragraph C, or actual costs for inspection by the Company under Paragraph D, above, be less than the estimated cost, the Company shall refund the difference as soon as the actual cost has been ascertained.

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2. During the first ten years after the extension is completed, the Company will refund to the original applicant who paid for the extension monies collected from additional applicants in accordance with Paragraph E., above.
 3. The sum of all refunds to the applicant shall not exceed the total contribution, including income tax and inspection costs associated with the extension, which the applicant has paid.
 4. If two or more entities are considered an original applicant, the refund shall be distributed to each entity based upon the percentage of the actual extension cost contributed by each entity.
- G. Any extension made under this Rule shall be and remain the property of the Company in consideration of its perpetual upkeep and maintenance.
- H. The Company reserves the right to connect additional extensions to a collecting sewer contributed by the applicant. The connection of new Customers to such additional extensions shall not entitle the applicant to any refund.

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