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ORIGINAL SHEET NO. 1

POSEIDON WATER COMPANY, INC.

NAMING RATES FOR

WATER SERVICE

IN

THURSTON COUNTY

AND

CONTAINING RULES AND REGULATIONS

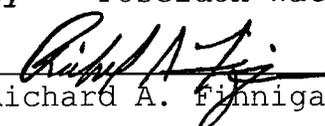
GOVERNING SERVICE

Issued: October 30, 1997

Effective: November 1, 1997

Issued by Poseidon Water Company, Inc.

By


Richard A. Finnigan

Title

Attorney

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FIRST REVISED SHEET NO. 2
CANCELING ORIGINAL SHEET NO. 2

POSEIDON WATER COMPANY, INC.

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By: Richard A. Finnigan

Title: Attorney

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ORIGINAL SHEET NO. 3

POSEIDON WATER COMPANY, INC.

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PRELIMINARY STATEMENT

Poseidon Water Company, Inc. (referred to herein as the "company" or the "utility") renders water service throughout the territory served by it as shown in its schedules.

The procedure which will be followed by the company in rendering service is set forth in the rules.

Each sheet of the tariff bears a designating number and also the date issued and the date upon which it became effective.

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POSEIDON WATER COMPANY, INC.

Notice of Filing of Rules, Rates and Conditions

The rules, rates and conditions contained in this tariff have been regularly filed with the Washington Utilities and Transportation Commission and are the effective rules, rates and conditions of this company.

No officer, employee or agent of the company has any authority to waive, alter or amend in any respect these rules, rates and conditions, or any part thereof, or to make any agreements inconsistent with these rules, rates and conditions.

The rules, rates and conditions set forth in this tariff are subject at all times to addition, change or abolition after proceedings duly had by the Washington Utilities and Transportation Commission and changes in the rules, rates and conditions set forth in this tariff must first be approved or accepted by the Washington Utilities and Transportation Commission.

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POSEIDON WATER COMPANY, INC.

Symbols

The following symbols are applicable to all tariff schedules and rules of the company:

- (C) To signify change in rule or condition.
- (D) To signify discontinued rate, regulation or condition.
- (I) To signify an increased rate.
- (K) To signify that material has been transferred to another sheet or place in the tariff.
- (M) To signify that material has been transferred from another sheet or place in the tariff.
- (N) To signify new rate, regulation, condition, or sheet.
- (O) To signify no change.*
- (R) To signify a reduced rate.
- (T) To signify a change in text for clarification.

* The use of the symbol "O" shall be discretionary unless its use in the interest of clarity is evident or specifically requested by the Commission.

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ORIGINAL SHEET NO. 6

POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 1 - General

1. Application.

The rules set forth in this tariff apply to intrastate services and facilities furnished within the State of Washington by the company, subject to the jurisdiction of the Washington Utilities and Transportation Commission (hereinafter referred to as "Commission").

2. Waiver.

The water services furnished by this company are subject to the rates, charges, rules and conditions contained in this tariff. No officer, employee or agent of the company has authority to waive, alter or amend any of these provisions. Rates may be changed or cancelled only with the consent or approval of the Commission.

3. Commission Rules.

The rules of the Commission regulating water service are hereby adopted and by this reference are made a part of this tariff.

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CANCELING ORIGINAL SHEET NO. 7

POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 2 – Water Service

(a) Application: Service and supply of water shall be rendered only after the signing of an application by the prospective customer and its acceptance by the company, such application to state fully and truly all the purposes for which water may be required; and agreement by the applicant to conform to the lawful Rules and Regulations established by the company and filed with the Commission. As part of the application, the prospective customer must complete a cross connection survey for the application to be considered complete.

(N)
|
(N)

(b) Change of Use: The customer will not increase his demand or use of service as stated in his application without giving due notice of such increase. In the event of such increase, the customer will be required to pay the company's regularly published rates for such increased service and demand from the date of connection and use of the same.

Whenever the customer desires to discontinue the use of water for any special purpose or through any fixtures mentioned in the original application, he shall cause the fixture to be removed and the branch pipe or service supplying the same to be capped or plugged, and shall notify the company in writing before any reduction in charge will be made. Such a reduction in charge is contingent upon the provisions of the company's tariff.

(c) Termination of Service: Service will be discontinued upon the customer giving the company written notice prior to the customer giving the company written notice prior to the date of disconnection. The customer will be held responsible for all charges accruing prior to the date specified in the notice, or in the case of failure to give notice, then until the water is turned off.

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By: Richard A. Finnigan

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ORIGINAL SHEET NO. 8

POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 2 - Water Service (Continued)

(d) Limitations on Service: Service shall be subject to the capacity available from existing wells, or other sources of supply, of the utility. All schedules for water service apply to customers located on the established water mains of the utility. The customer shall not sell, or permit others to use such service, except when expressly authorized to do so under appropriate contract.

Rule 3 - Services

The pipe and facilities through which water is furnished from the distribution system to each separate building, residence, summer cottage, tent, camp, or group of buildings that is or could be logically served by one pipeline will be considered a service. Only one customer will be permitted on a service except as approved by the utility.

Rule 4 - Service Connection Charge

Customer shall pay the appropriate service connection charge, see Schedule 3, prior to receiving service from the company.

Rule 5 - Reconnection Charge

Whenever service has been discontinued due to delinquent account, request of customer, refusal to make proper repairs, failure to comply with these Rules and Regulations, or similar cause, a charge of \$30.00 will be made for restoring service, provided reconnection of the facilities can be completed within the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, except holidays. If reconnection is requested to be made during other than the above hours, the charge shall be \$50.00. The reconnection charge shall be paid before service is restored.

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ORIGINAL SHEET NO. 9

POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 5 - Reconnection Charge (Continued)

If the utility dispatches an employee to discontinue service and the customer pays the delinquent amount to the dispatched employee, a \$10.00 service charge will be assessed by the utility to cover expenses incurred. No charge will be made for reconnection of the service if the shut-off was made for the convenience of the utility in making repairs, changes, etc. (T)

Rule 6 - Service Connections

The utility will construct service connections of a proper size, as determined by the utility, from its distribution mains to the customer's property. The utility reserves the right to refuse to construct a service connection to any property in case a reasonable doubt exists as to continuity of service, or in case the applicant's pipes are not properly constructed and protected.

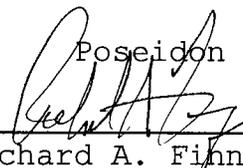
Rule 7 - Installation of Meters

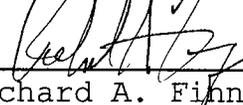
The utility reserves the right to meter any flat rate service at its convenience, the utility's metered service rates thereupon to become effective, provided the customer has received 30 days written notice. All meters so placed will be installed and maintained by the utility without cost to the customer.

Rule 8 - Distribution Main Extension

Where elevation and construction conditions permit and one or more bona fide prospective permanent customers request a main extension, the main extension will be constructed pursuant to a contract executed for such construction.

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By  **Title** Attorney
Richard A. Finnigan

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POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 8 - Distribution Main Extension (Continued)

Subsequent applicants requesting service on such an extension within three years after the establishment thereof shall obtain, in writing, from each and all of the original applicants who at the time connected to the extension made payments under these rules, either

(a) A receipt acknowledging payment of a pro rata share of the amount paid on the extension by the original applicants, or

(b) A waiver of payment in lieu of receipt under (a).

Rule 9 - Responsibility for, and Maintenance of, Services

The point at which water shall be delivered to and received by the customer shall be at the utility's side of the meter installed to serve the customer (Point of Delivery). All pipe and fixtures on the customer's side of the Point of Delivery shall be provided by the customer and maintained, operated and protected from freezing at the customer's expense. The utility shall NOT be liable for loss or damage caused by leakage or escape of water after the water has passed the Point of Delivery.

Where there are leaking or defective pipes or fixtures, the water may be turned off at the option of the utility until the proper repairs are made. The utility may require any service to be equipped with a stop and waste cock to be used during freezing weather instead of permitting the water to be run continuously from faucets.

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POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 9 - Responsibility for, and Maintenance of, Services
(Continued)

Property owners are responsible for keeping utility easements available and open for access by the utility to water mains, valves and other facilities. The cost of moving plants and other obstacles, such as fences, and breaking through coverings such as asphalt or cement shall be billed to and the responsibility of the customer to pay.

Rule 10 - Access to Premises

The utility's regularly authorized agents or employees shall have access to the premises of the customer at reasonable hours for the purpose of meter reading; for the inspection, connection, disconnection, repair or removal of the utility's property installed thereon.

Rule 11 - Interruptions to Service

The utility will make a diligent effort to render uninterrupted service and supply of water; and, in cases where shut-off is necessary for repair, reconstruction, damage prevention or similar cause, where possible, the utility will give at least 24 hours' advance notice to its customers of such expected shut-off. However, the utility will not be responsible for any damage which may result from any cessation of service such as above outlined, nor for failure to give notice of shut-off when circumstances are such that it is impossible to give notice as above stated. In any event, the utility's liability for damages caused by an interruption in service shall be limited to a credit, based on a pro rata calculation, of any day or days for which an interruption in service occurs as described in Rule 12. (T)
(T)

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RULES AND REGULATIONS

Rule 12 - Credit for Interruption to Service

1. Allowance for Interruption of Service - When.

In the event of an interruption to the service which is due to causes (other than interruption in service due to loss of power to the system) beyond the control of the subscriber, an allowance will be made, upon request, if the interruption continues for more than twenty-four hours from the time it is reported to the company.

2. Allowance for Interruption of Service - How Calculated.

The allowance will be the prorated portion of the monthly rate for the service or the portion of the service made inoperative and will begin twenty-four hours after the time the interruption to the service was first reported to the company.

Rule 13 - Bills

All bills shall be paid in arrears on or before the fifteenth day after the date of mailing of the bill. On metered service, where the meter has not been read, the bill shall be for the average of the two prior billing periods for which readings are available with any necessary correction or adjustment shown when the next succeeding meter reading is available. (T)

Rule 14 - Deposits

Any customer may be required to make an advance deposit not to exceed two-twelfths of estimated annual billings. Deposits shall be held, applied to bills, and administered as provided in WAC 480-110-051, as now existing or hereafter amended.

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By Richard A. Finnigan Title Attorney
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ORIGINAL SHEET NO. 13

POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 15 - Delinquent Accounts and Disconnections

Disconnections shall be handled as provided in WAC 480-110-071, a copy of which is available upon request.

Rule 16 - Rates

Rates for water service and supply shall be those published in the utility's tariff on file with the Commission. Unless otherwise stated in this tariff, the rates shall apply to a single service, to one customer at one premises. Where two or more families with separate housekeeping establishments occupy the same or separate dwellings, each family using water shall be considered a separate customer. Each separate housekeeping establishments or businesses, will each be considered a customer.

When conditions require that more than one customer be supplied through one meter, each customer shall be charged the minimum charge as provided by the schedule of rates. If the consumption as shown by the meter exceeds the allowance for the minimum charge multiplied by the customers, the excess consumption charge shall be computed at the regular rates for one customer and the amount prorated equally to the several customers, or otherwise as may be agreed among themselves.

Rule 17 - Late Payment Fee

Any amounts more than thirty (30) days past due shall be assessed a late payment fee of one percent (1%) per month, prorated daily to date of payment. A minimum late payment fee of \$1.00 will apply.

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POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 18 - Account Service Charges

A service charge of \$25.00 will be made for each new account or change of account responsibility on an existing service. Such charge shall be included in the initial billing to the customer. An additional charge of \$25.00 is applicable when the utility must dispatch an employee to establish a base meter reading. Where separate new connections or changes are required for service billed on different account numbers at the same address, the service charge shall be applied to each account, unless service has been separated for the utility's convenience.

The service charge shall not apply to the following:

- (a) Installation of a new service.
- (b) When a temporary or seasonal connection or reconnection charge is made.
- (c) When an owner or agent assumes temporary responsibility for service to vacated premises.

A service charge shall be applied to each account for each check returned unpaid for any reason by the bank upon which the check is drawn. The service charge is \$15.00. returned check is considered to be a nonpayment.

Rule 19 - Sprinkling and Irrigation

Except as may otherwise be provided by contract, water used for sprinkling and irrigation shall be paid for at the regular prescribed tariff rates for such service. The hours for such use shall be as prescribed from time to time by the company, subject to protest by any customer affected and to review by the Commission.

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POSEIDON WATER COMPANY, INC.

RULES AND REGULATIONS

Rule 19 - Sprinkling and Irrigation (Continued)

Any sprinkling or irrigation system which is installed shall contain a backflow valve to protect the utility's water system.

No person shall use water for sprinkling or irrigation purposes during any fire in the area, and all sprinkling and irrigation shall be stopped immediately when an alarm of fire is sounded and not resumed until the fire has been extinguished.

During peak use months (June through September), and at such other times when demand may be high, the utility may prohibit or limit sprinkling and irrigation to preserve water for domestic consumption.

Rule 20 - Property on Public Highways

All distribution mains and those portions of service connections, exclusive of customer owned lines, in or on streets or public highways will be considered utility property and will be maintained by the company at its expense.

Rule 21 - Limitations on Liability

A. General

The company's liability, if any, for its gross negligence, willful misconduct or violation of Chapter 19.122 RCW is not limited by this tariff. With respect to any other claim or suit, by a customer or by any others, for damages associated with the installation, provision, termination, maintenance, repair, or restoration of service, the Company's liability, if any, shall not exceed an amount equal to the proportionate part of the monthly recurring charge for the service for the period during which the

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POSEIDON WATER COMPANY, INC.

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RULES AND REGULATIONS

Rule 23 – Discontinuance of Service

The company reserves the right to discontinue a customer's service if the customer:

- (a) Fails to maintain his or her connections, service pipes, or fixture in good order.
- (b) Damages any service pipe, meter, curb stop valve, seal or other facilities of the company.
- (c) Vacates the premises.
- (d) Willfully wastes water through improper or imperfect pipes, fixtures or otherwise.
- (e) Fails to make or renew any required deposits, or fails to make payments for water service or any other proper charges accruing under the applicable rate schedules, when due.
- (f) Refuse to permit an employee of the company to have reasonable access to the premises for the purpose of inspecting the facilities, or for testing, reading, maintaining or removing meters.
- (g) Makes fraudulent use of service.
- (h) Fails to comply with cross connection control requirements.
- (i) Violates any of these Rules and Regulations.

The right to discontinue service may be exercised whenever and as often as any of the foregoing situations shall occur, and neither delay nor omission on the part of the company to enforce this rule at any one or more times shall be deemed a waiver of its right to enforce the same at any time, so long as the situation continues.

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POSEIDON WATER COMPANY, INC.

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RULES AND REGULATIONS

Rule 23 – Discontinuance of Service (continued)

A minimum of eight (8) working days written notice will be given customer before service is discontinued under this rule, except in the case of danger to life or property, when company may discontinue service on less than eight (8) days written notice following written notice. Prior to disconnecting service, the company will also attempt to contact the customer in person or by telephone. If telephone contact is elected, at least two attempts shall be made during regular business hours. If a business or message number is provided by the customer, the company will try to reach the customer at that number. If unable to make contact through the residential number, a log of the attempts shall be kept by the company showing the telephone number called and the time of the call.

If service is not discontinued within ten (10) working days of the date noted, unless other mutually acceptable arrangements have been made, that disconnection notice shall become void and a new notice shall be required before the service can be disconnected.

The company will restore service when the cause of discontinuance has been removed and payment of all proper charges due from customer, including the Service Visit Charge set forth in this tariff, have been made.

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POSEIDON WATER COMPANY, INC.

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RULES AND REGULATIONS

Rule 21 - Limitations on Liability (Continued)

service was affected. This liability shall be in addition to any amounts that may otherwise be due the customer under this tariff as an allowance for interruptions. THERE SHALL BE NO LIABILITY FOR CONSEQUENTIAL OR INCIDENTAL DAMAGES.

B. Disclaimer

THE COMPANY EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, EXCEPT THOSE EXPRESSLY SET FORTH IN THIS TARIFF, INCLUDING, BUT NOT LIMITED TO IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR SERVICE.

C. Relation to Charges

The charge for services rendered under this tariff are expressly based on the limitations on damages and disclaimer of warranties set forth above.

Rule 22 - General

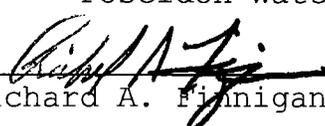
All special cases not covered by the foregoing Rules and Regulations will be covered by special rules to be filed as a part of the company's tariff on file with the State Commission, subject in each case to protest according to law.

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Title

Attorney

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POSEIDON WATER COMPANY, INC.

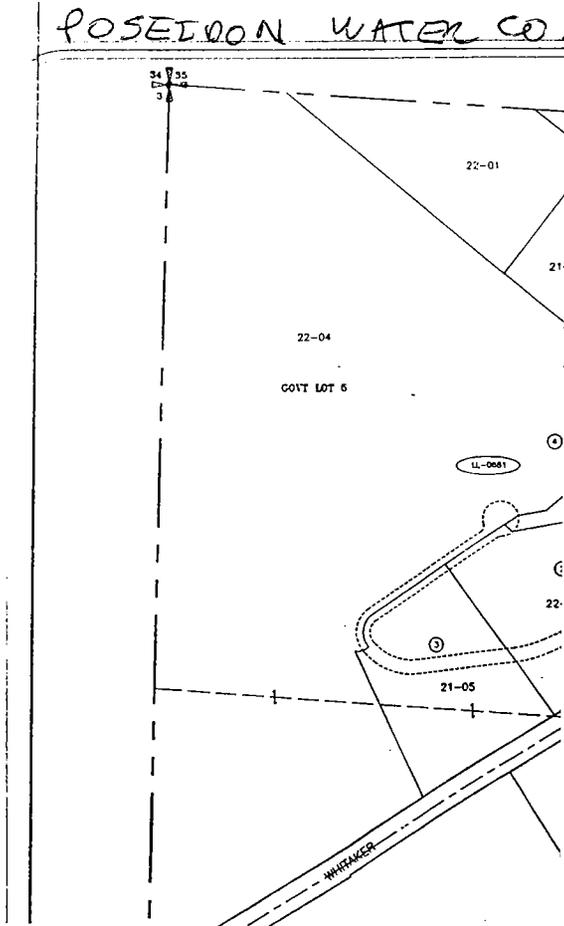
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SERVICE AREA MAPS



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By Richard A. Finnigan Title Attorney

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ORIGINAL SHEET NO. 18

POSEIDON WATER COMPANY, INC.

SCHEDULE 1

Metered Rate Service*

Applicable

To all customers in the company's service area.

Monthly Minimum

Rate Per Month

Minimum, first 500 cubic feet, or less \$ _____

Overage,
per cubic foot, from 501 to 1,500 cubic feet _____
per cubic foot, over 1,500 cubic feet _____

* At the current time all customers are on a flat rate schedule. Rates will be set under this schedule when the company undertakes a metering program.

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By Richard A. Finnigan Title Attorney

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**SECOND REVISED SHEET NO. 19
CANCELING FIRST REVISED SHEET NO. 19**

POSEIDON WATER COMPANY, INC.

SCHEDULE 2

Flat Rate Service

Available

Within the limits of all Water Service Areas.

Applicable

Anywhere metered service is not available.

Rates

Where flat rate is used the charge will be \$50.30 per month.

(I)

(D)

(D)

(D)

(D)

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Issued by: Poseidon Water Company, Inc.

By: Richard A. Finnigan

Title: Attorney

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ORIGINAL SHEET NO. 20

POSEIDON WATER COMPANY, INC.

SCHEDULE 3

Service Connection Charge

| | |
|------------------------|----------------------------|
| Size of Service | Service Connection Charge |
| <u>Connection</u> | plus associated Federal |
| Up to 3/4 inch service | <u>Income Tax Recovery</u> |
| | \$375.00 x <u>1</u> |
| | (1 - Federal) |
| | income tax rate |

| | |
|------------------------------|-----------------------------|
| Larger than 3/4 inch service | Time and Material plus |
| | Federal income tax recovery |

1. "Service Connection" as used herein includes the installed pipe from a water main of adequate capacity to the applicant's property line and the installation of a meter box and fittings necessary to provide the requested water service. Paving repair costs, when applicable, are in addition to the Service Connection Charge. Cost of a meter will be borne by the utility.

2. Where an existing water main must be enlarged to furnish an adequate supply of water to the applicant(s) and present customers, the replacement cost of the water main and all costs associated with said replacement shall be borne by the applicant(s) requesting the new service(s). Rule 8 - Distribution Main Extension shall be applicable to subsequent applicants requesting water service on that portion of the water main replaced.

3. All work will be installed upon execution of a written agreement between the utility and the applicant and payment by the applicant, in advance of construction of all contracted costs. The Service Connection Charge is not refundable. The service connection will be paid before the water is turned on.

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Service Connection Charge (Continued)

4. When it is necessary to bore under an existing road the cost of boring will be in addition to the Service Connection Charge.

5. Road crossings shall be paid for on a time and materials basis.

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By _____

Richard A. Finnigan
Richard A. Finnigan

Title _____

Attorney

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ORIGINAL SHEET NO. 22

POSEIDON WATER COMPANY, INC.

SCHEDULE 4

Service Visit

Available

Throughout the company's service area.

Applicable

This service charge will apply only when the customer requests a second or subsequent service visit when:

1. the cause of the disruption or interruption of the customer's service or degradation of quality is found to be the same cause determined on an earlier service visit (within 90 days), and
2. is on the customer's side of the Point of Delivery.

The company will maintain service records adequate to document that the problem found is the same problem previously encountered. The record will show, at a minimum, the customer's name and address, date of service request, date of service call (if different from the date of service request), type of problem and disposition. These records shall be maintained for a minimum of one year and provided to the Commission upon request. The company will notify the customer on the initial service visit (in person or by written notice) when the cause of the problem is on the customer's side and, further, will inform the customer that a subsequent service call which finds the same problem will be billed at tariffed rates. The company must also advise the customer prior to making a second or subsequent service visit that charges will apply if the problem is determined to be the customer's responsibility.

Rate

\$50.00 per visit.

Issued: October 30, 1997 **Effective:** November 1, 1997

Issued by Poseidon Water Company, Inc.

By Richard A. Fennigan **Title** Attorney

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ORIGINAL SHEET NO. 23

POSEIDON WATER COMPANY, INC.

(N)

SCHEDULE NO. 5

CROSS CONNECTION CONTROL

A. Applicable:

To all customers served by the company for purposes of assessing the presence of cross connections and additional requirements apply to those customers that have cross connections.

B. Rate:

| | |
|---|--|
| Site Visit Charge and Premises Inspection Charge Installation of Approved Backflow | - These charges shall be at the actual cost, without mark-up, to the company from the outside consultants hired to perform the work |
| Prevention Assembly | - Time and materials |

C. Conditions:

1. This schedule is established pursuant to the requirements adopted by the Washington State Department of Health in WAC 246-290-490, as it now exists or is hereafter amended or replaced. Copies of this regulation are available from the Washington State Department of Health or from the company.

2. All customers shall be surveyed as to the existence of cross connections pursuant to the definition of cross connections established by the Washington State Department of Health. A second survey shall be sent to those customers who fail to respond to the initial survey. If the customer fails to respond to the second survey, then the following non-response options may be necessary and the customer will be charged pursuant to the rate or rates, as applicable, set forth in section B, above. For new customers, a survey will be required as part of the application prior to accepting the applicant as a customer.

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By: Richard A. Finnigan

Title: Attorney

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POSEIDON WATER COMPANY, INC.

(N)

SCHEDULE NO. 3 (Continued)

CROSS CONNECTION CONTROL (Continued)

Non-Response Options

- a. Site Visit letter/appointment for on-site review of cross connection potential, followed by a Site Visit and Premise Inspection for determination of cross connection potential as defined in WAC 246-290-490. The customer will be assessed the charges set forth in section B, above.
 - b. Installation of Approved Backflow Prevention Assembly at customer's expense or as set forth in section B, above.
 - c. Notice of disconnection of service per WAC 480-110-355.
3. An on-site inspection is required for every customer meeting any criteria of WAC 246-290-490-4(b) Table 9. The customer will be assessed the appropriate charges set forth in section B, above.
4. If a cross connection is detected or is reported by the customer, then the company will determine the appropriate remedy and notify the customer of the remedy, options, and dates for compliance. If an Approved Backflow Prevention Assembly is required, the company will determine the type of Approved Backflow Prevention Assembly that must be installed, and must provide the customer with a date by which the device must be installed. Installation will be the customer's responsibility and sole expense. The customer may choose to have the Approved Backflow Prevention Assembly installed through any contractor acceptable to the company. If the customer does not install the appropriate Approved Backflow Prevention Assembly within thirty days of notification, the company may take appropriate action to correct. This may include the company installing an Approved Backflow Prevention Assembly at customer's expense if tariffed or may result in the company providing a notice of disconnection of service by the date specified in the notice. The Approved Backflow Prevention Assembly will be installed on a customer's side of the service connection.

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Title: Attorney