

NOVA SCOTIA UTILITY AND REVIEW BOARD

IN THE MATTER OF THE PUBLIC UTILITIES ACT

- and -

IN THE MATTER OF AN APPLICATION of the **Municipality of the County of Colchester**, on behalf of the **Debert Water Utility**, for Approval of Amendments to its Schedule of Rates and Charges for Water and Water Services and its Schedule of Rules and Regulations

BEFORE:  Murray E. Doehler, CA, P.Eng., Member

ORDER

**WHEREAS** the Municipality of the County of Colchester, on behalf of the Debert Water Utility (the "Utility"), has made an Application to the Nova Scotia Utility and Review Board (the "Board") for approval of amendments to its Schedule of Rates and Charges for Water and Water Services and its Schedule of Rules and Regulations;

**AND WHEREAS** after due public notice, the Application was heard by the Board at the Debert Hospitality Center, 130 Ventura Drive, Debert, Nova Scotia, on May 3, 2011, and the Board was pleased to render its Decision on the 6<sup>th</sup> day of July, 2011.

**IT IS ORDERED THAT:**

1. the Schedules of Rates and Charges for Water and Water Services, as amended, and attached hereto as Schedules "A", "B" and "C" be approved, effective for water and water services supplied on and after July 1, 2011, April 1, 2012 and April 1, 2013, respectively;
2. the Schedule of Rules and Regulations attached hereto as Schedule "D", be approved effective July 6, 2011; and
3. the Utility investigate the reports of low water pressure in certain areas and report back to the Board on what corrective action, if any, is to be undertaken by September 30, 2011.

**DATED** at Halifax, Nova Scotia, this 6<sup>th</sup> day of July, 2011.

  
Clerk of the Board

**SCHEDULE "A"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**

**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after July 1, 2011)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. **RATES:**

(a) **Base Charges** **Quarterly**

**Metered**

5/8"	\$ 81.62
3/4"	118.85
1"	193.31
1.5"	379.47
2"	602.87
3"	1,198.58
4"	1,868.76
6"	3,730.38
8"	6,708.96

(b) **Consumption Rates**

Consumption Rate:      \$8.13 per 1,000 gallons  
                                     \$1.79 per cubic metre

(b) Unmetered Rate \$203.34 per quarter  
(based on 272 c.m./yr.)

(c) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2011, the sum of \$80,363.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service  
pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service  
pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and

disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

**SCHEDULE "B"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**



**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after April 1, 2012)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. **RATES:**

(a) <u>Base Charges</u>	<u>Quarterly</u>
<u>Metered</u>	
5/8"	\$ 87.50
3/4"	127.62
1"	207.87
1.5"	408.50
2"	649.24
3"	1,291.23
4"	2,013.47
6"	4,019.69
8"	7,229.65

(b) **Consumption Rates**

Consumption Rate: \$8.83 per 1,000 gallons  
\$1.94 per cubic metre

(b) Unmetered Rate \$219.42 per quarter  
(based on 272 c.m./yr.)

(c) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2012, the sum of \$91,344.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service  
pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service  
pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and

disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

**SCHEDULE "C"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**

**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after April 1, 2011)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. **RATES:**

(a) <b><u>Base Charges</u></b>	<b><u>Quarterly</u></b>
<b><u>Metered</u></b>	
5/8"	\$ 90.78
3/4"	132.49
1"	215.92
1.5"	424.49
2"	674.77
3"	1,342.18
4"	2,093.09
6"	4,178.68
8"	7,515.75

(b) **Consumption Rates**

Consumption Rate: \$9.20 per 1,000 gallons  
\$2.03 per cubic metre

(b) Unmetered Rate \$228.82 per quarter  
(based on 272 c.m./yr.)

(c) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2013, the sum of \$103,358, or

For subsequent years, the annual public fire protection rate shall be based on:

a) The sum of 45.6% of transmission and distribution, taxes and depreciation expenses of the Utility and return on rate base of the immediately preceding year, plus;

b) 10% of all other expenses,

whichever is greater.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the

same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

## SCHEDULE "D"

### MUNICIPALITY OF THE COUNTY OF COLCHESTER DEBERT WATER UTILITY

#### SCHEDULE OF RULES AND REGULATIONS GOVERNING THE SUPPLY OF WATER AND WATER SERVICES

(Effective July 6, 2011)

1. In these Rules and Regulations, unless the context otherwise requires, the expression:

**"Municipality"** means the Municipality of the County of Colchester.

**"Utility"** means the Debert Water Utility of the Municipality of the County of Colchester.

**"Customer"** means a person, firm or corporation who, or which, contracts to be supplied with water at a specific location or locations.

**"Domestic Service"** means the type of service supplied to the owner or his authorized agent or to the occupant or tenant of any space or area occupied for the distinct purpose of a dwelling house, rooming house, apartment, flat, etc.

**"Metered Rate Service"** means that type of service charged for at metered rates and is supplied to customers other than those supplied by fixture and flat rate service. Metered rate service is required for all new services.

**"Flat Rate Service"** means that type of unmetered service charged for at a flat rate.

2. **Liability for Payment of Water Bill**: An agreement is deemed to exist between a customer and the Utility for the supply of water service at such rates and in accordance with these Regulations by virtue of:

- (a) the customer applying for and receiving approval for water service;
- (b) the customer consuming or paying for water service from the date that the customer who is a party to an agreement pursuant to clause (a) (the customer of record) moves out of the premises, in which case the customer of record shall remain jointly and severally liable for the water service account up to the date the Utility is notified that the customer of record wishes to terminate the supply of water service.

At the discretion of the Utility, a property owner who rents or leases a property or self-contained unit to a tenant or lessee may be required to open an account for the provision of water at the property rented or leased.

- (c) Any person, business or corporation that receives water service without the consent of the Utility, shall be liable for the cost of such water service which cost shall be determined in the sole discretion of the Utility based upon its reasonable estimate of the amount of water utilized.
3. **Deposits:** When required, an applicant for service shall deposit with the Utility a sum equal to the estimated charges for service for a period of six months. The estimated charges will be based on the minimum bill for metered customers. This deposit shall be held by the Utility as collateral security for the payment of the customer's bills, but is not to be considered as a payment on account thereof. When such customer ceases to use the service and discharges all his liability to the Utility in respect of such service, the deposit shall be returned to him, with interest at the rate of interest obtained by the Municipality of the County of Colchester on its surplus cash balance on deposit with its baker as at March 31 of each fiscal year, not compounded.
  4. **Refusal of Service:** Service may be refused or suspended to any customer who has failed to discharge all of his liabilities to the Utility.
  5. **Payment of Bills:** Bills shall be rendered to each customer at intervals of approximately three months and are due and payable when rendered. Bills not paid within thirty (30) days of the date rendered shall incur an interest charge of 1.25% per month, or part thereof.
  6. **Adjustment of Bills:**
    - (a) Where meters exist – If the seal of a meter is broken or if a meter does not register correctly, the bill for that water service shall be estimated in accordance with the best data available. Any customer desiring to question a water bill must do so in writing within 30 days of the bill being rendered.
    - (b) Customers under billed – Should it be necessary for the Utility to make a billing adjustment as a result of a customer being under billed for any reason, such adjustment shall be retroactive for a maximum of four billing periods or one year, whichever is the longest. Notwithstanding the above, in the event that a billing adjustment is the result of the customer's illegal connection to the water system or wilful interference or damage of metering equipment (where they exist), the billing adjustment in such circumstances will not be limited to one year or four billing periods, but rather the customer shall be responsible for all payments of such accounts

from the date such illegal connection or interference to meter equipment took place.

- (c) Customer over billed – Shall it become necessary for the Utility to make a billing adjustment as a result of a customer being over billed for any reason, such adjustment will be estimated by the Utility, and the Utility will be responsible for payment of the over billed amount with interest calculated on the basis of current simple interest paid by the bank.
7. **Estimated Readings for Billing Purposes - Metered Customers:** If the Utility is unable to obtain a meter reading for billing purposes, after exercising due diligence in the usual practice of meter reading, the bill for that service shall be estimated in accordance with the best data available, subject, however, to the provision that in no circumstance will an estimated reading be used for more than two (2) consecutive billing periods. If an estimated bill is rendered for two (2) consecutive billing periods, the Utility shall notify the customer by regular mail that arrangements must be made for the Utility to obtain a reading and, failing such arrangements, the Utility may suspend service until such arrangements are made. When such meter reading has been obtained, the previous estimated bill or bills shall be adjusted accordingly.
8. **Suspension of Service for Non-Payment Bills:** The Utility shall have the right to enter onto customers' premises within reasonable hours to suspend service to customers whose bills remain unpaid for more than forty calendar days after the date rendered. The customer shall pay the sum of \$50.00 (HST extra) for reconnecting after each suspension. If reconnection is made after regular working hours, the charge shall be \$100.00 (HST extra).
9. **Public Fire Protection Service Charge:** The Utility shall annually render to the Municipality of the County of Colchester, not later than the last day of August, an account for fire protection service as approved by the Nova Scotia Utility and Review Board. The account shall be payable within thirty (30) days of the date rendered.
10. **Water to be Supplied by Meter:** The Utility may at any time install a meter on the premises of any customer. The Utility shall determine the size and type of meter to be installed in each case. All meters shall be the property of the Utility.
11. **Installation and Removal of Meters:** Meters shall be installed and removed only by employees or duly authorized representatives of the Utility and no other person shall install, alter, change or remove a meter without the written permission of the Utility. The plumbing and connections shall be properly prepared to receive the installation of such meters to the approval of and without expense to the Utility.

12. **Meter Readers:** Each Meter Reader shall be provided with an official identification, which he/she shall exhibit on request.
13. **Access to Customer's Premises:** Representatives of the Utility shall have right of access to all parts of a customer's property or premises at all reasonable hours for the purpose of inspecting any water pipes or fittings, or appliances, or discontinuing service, or for the purpose of installing, removing, repairing, reading or inspecting meters. The Utility shall have the right to suspend service to any customer who refuses such access.
14. **Location of Meters:** The Utility shall have the right to refuse service to, or suspend the service of, any customer who does not provide a place which, in the opinion of the Utility, is suitable for the meter. It should be in the building served, at or near the point of entry of the service pipe, in a place where it can be easily read and where it will not be exposed to freezing temperatures.

Where the premises of a customer are of such a nature that a meter cannot be properly installed in a building, or if the building is not sufficiently frost-proof as to guarantee the safety of the meter, the Utility may order the construction of a suitable frost-proof box in which the meter can be installed. Service to such premises may be refused or suspended until such a frost-proof box approved by the Utility is installed.

15. **Damage to Water Meters:** Each customer shall be responsible for the meter installed on his service and shall protect it. He shall be liable for any damage to the meter resulting from carelessness, hot water or steam, or the action of frost or from any other cause not the fault of the Utility or its employees. The cost to the Utility occasioned by such damage to the meter shall be paid by the customer. If, after the rendering of a bill by the Utility to the customer for such cost, the same is not paid within 40 days from the date rendered, the supply of water to the customer concerned may be suspended until all charges are paid.
16. **Meter Testing:** On the request to have their meter tested, the Utility may charge the sum of \$50.00 (HST extra) to defray in part the cost of making the test for meters up to 1½ inches in size. In the case of meters 1½ inches and larger, the actual cost of the test will be paid by the customer. If the test shows that the meter is over registering by more than one and one-half percent (1½%) for positive displacement meters and three percent (3%) for turbine or compound meters, the sum so deposited will be refunded to the customer

17. **Plumbing to be Satisfactory:** All plumbing, pipes and fittings, fixtures, and other devices for conveying, distributing, controlling, or utilizing water, which are used by a customer and are not the property of the Utility, shall be installed in the manner provided by the Regulations of and be approved by the proper official of the Municipality and/or the operators of the Utility. The water shall not be turned on (except for construction or testing purposes) until the applicant for service has satisfied the Utility that these requirements have been met. The supply of water may be discontinued to any customer at any time if, in the opinion of the proper official of the Municipality and/or the operators of the Utility the plumbing, pipes, fittings, fixtures or other devices as hereinbefore mentioned, or any of them, fail to comply with the above requirements, or if any part of the water system of such customer or the meter is in any unsuitable, dirty, unsanitary, or inaccessible place. Service shall not be re-established until such condition is corrected to the satisfaction of the Utility.
  
18. **Remote Registering Water Meters:** When a remote registering water meter is installed on a customer's premises under a general outside register installation program of the Utility, then the cost of the meter and its installation shall be paid by the Utility. The meter shall become the property of the Utility which shall become responsible for its operation, maintenance and replacement. Any damage to the meter caused by the negligence or wrongful acts or omissions by the customer, his agents or members of his family, shall be paid for by the customer, and the failure by the customer to make the payment shall entitle the Utility, after making a forty day written demand for the payment, to disconnect the water service to the customer.
  
19. **Cross Connection Control and Backflow Prevention:**
  - (a) No owner, customer or other person hereinafter collectively referred to in this rule and regulation as "person" shall connect, cause to be connected, or allow to remain connected to the water system, or plumbing installation, without the express written consent of the Utility, any piping fixtures, fittings container or appliance in a manner which, under any circumstances, may allow water, wastewater, or any other liquid, chemical or substance, to ingress or egress the water system.
  
  - (b) Where, in the opinion of the Utility, there may be a risk of contamination to the potable water system, notwithstanding the provisions of subparagraph (a), the Utility may require the customer, at the customer's sole cost and expense, to install at any point on the customer's water service connection or water service pipe, one or more backflow prevention (BFP) devices, which devices shall be of a quality and type approved by the Utility.
  
  - (c) All BFP devices shall be maintained in good working order. Such devices must be inspected and tested by a certified tester, approved by the Utility, at the expense of the customer. Such inspections shall take place upon

installation, and thereafter annually, or more often if required by the Utility. The customer shall submit a report in a form approved by the Utility on any or all tests performed on a BFP device within 30 days of a test. A record card shall be displayed on or adjacent to the BFP device on which the tester shall record the name and address of the owner of the device; the location, type, manufacturer, serial number and size of the device; and the test date, the tester's initials, the tester's name, the name of his employer, and the tester's license number.

- (d) Installation, maintenance, field-testing and selection of all BFP devices shall fully conform to the latest revision of CSA B64.10 and CSA B64 series.
  - (e) In the event of any breach, contravention or non-compliance by a person of any of the provision and regulations in sub-paragraphs (a), (b), (c), or (d), the Utility may:
    - (i) suspend water service to such person, or
    - (ii) give notice to the person to correct the breach, contravention or non-compliance within 96 hours, or a specified lesser period. If the person fails to comply with such notice, the Utility may immediately thereafter suspend water service to such person.
29. **Dangerous Connections:** No connection shall be permitted to any installation; equipment or source in such a manner as may allow any contamination to pass from such installation, equipment or source into the Utility's water supply system. If any such connection exists, the Utility may discontinue the supply of water to such customer.
21. **Prohibited Devices:** Service may be refused or suspended by the Utility to any customer who installs or uses any device or appurtenance as, for example, booster pumps, quick-opening or quick-closing valves, flushometers, water operated pumps or siphons, standpipes, or large outlets for supplying locomotives or ships, etc., which may occasion sudden large demands of short or long duration, thereby requiring oversize meters and pipelines, or affect the stability or regulation of water pressure in the Utility's system. Permission to install or use any such device or appurtenance must be obtained from the Utility, which permission shall specify what special arrangements, such as elevated storage tanks, surge tanks or equalizing tanks, etc., must be provided by the customer.
22. **Improper Use or Waste of Water:** No customer shall permit the improper use or waste of water, nor shall he sell or give water to any person except upon such conditions and for such purposes as may be approved in writing by the Utility.

23. **Service Pipes:** Upon receipt of an application for service to any premises located on any portion of a street through which portion a main water pipe is laid and which premises are not already provided with water service, the Utility shall install a service pipe which it considers to be of suitable size and capacity. No pipe smaller than  $\frac{3}{4}$ " in diameter shall be laid for any service.

The cost of supplying and laying a  $\frac{3}{4}$ " service pipe and fittings including the necessary excavation for the laying of the service pipe, backfilling, and replacement of the street and sidewalk surfaces from the water main in the street to the street line shall be done by the Utility or its contractor at a fixed fee of \$4,000 to the customer for the year 2011/12. For the year 2012/13 and subsequent years the fixed fee shall be \$5,500. In cases where boring/auguring under the street is required by Nova Scotia Transportation and Infrastructure Renewal, the fee shall be the actual cost of the installation. From the street line to the premises, all costs shall be paid by the customer.

For services larger than  $\frac{3}{4}$ " the whole cost shall be borne by the customer.

Should any person make application for more than one service to his premises, the decision as to the necessity of the additional service shall be made by the Utility and if additional service is installed, the total cost thereof from the main to the customer's premises shall be paid by such applicant.

All services must be installed in accordance with the Rules and Regulations of the Municipality and to the satisfaction of the Utility.

When a service has been installed without objection from the customer as to the location of the same, no subsequent removal of or alteration to the position of the pipe shall be made except at the expense of the customer requesting such removal or alteration.

24. **Repairs to Service:** If a leak or other trouble occurs it shall be repaired as soon as possible. If the leak or trouble occurs in a service line providing non-fire protection water supplies between the main and the property line, it shall be repaired by the Utility at its expense. If the leak or trouble occurs elsewhere in a service line providing non-fire protection water supplies, it shall be repaired by the customer at his/her expense.

If the leak or trouble occurs in a service line which provides private fire protection services (sprinkler or hydrant) it shall be repaired by the customer at his expense.

The Utility may make such repairs for any customer provided the customer agrees to pay the cost of same. When required, each customer desiring the Utility to do such work shall deposit with the Utility a sum equal to the estimated cost of the work.

If a leak occurs on the customer's portion of his service pipe and, after being notified of same, he refuses or unduly delays to have repairs made, the Utility may discontinue the supply of water to such service pipe if, in its opinion, such action is necessary in order to prevent wastage of water. The Utility shall notify the customer affected of its intention to discontinue such supply.

25. **Unauthorized Extensions, Additions or Connections:** No person shall, without the written consent of the Utility, make or cause to be made any connections to any pipe or main or any part of the water system or in any way obtain or use water therefrom in any manner other than as set out in these Regulations.
26. **Special Service Charge:** A special service charge of \$50.00 (HST extra) (\$100.00 [HST extra] if such work is performed after regular working hours) shall be made to each customer receiving a necessary or requested service, such as the shutting off or turning on of water service or other special services not provided for elsewhere in these regulations. In the case where the shutting off is requested because there is no operable shut off valve serving the dwelling, an isolation valve must be installed.
27. **Season for Laying Pipes:** The Utility shall not be required to lay any pipe at any season of the year or at any time which, in its opinion, is not suitable.
28. **Private Fire Protection:** Fire protection lines within buildings shall be installed so that all pipes will be open and readily accessible for inspection at any time, and no connection for any purpose other than fire protection shall be made thereto. Unless approved by the Utility in writing, no fire protection line shall be connected in any way to a metered service.
29. **Liability of Utility:** The Utility shall not be deemed to guarantee an uninterrupted supply or a sufficient or uniform pressure and shall not be liable for any damage or injury caused or done by reason of the interruption of supply, variation of pressure or on account of the turning off or turning on of the water for any purpose.
30. **Interference With Utility Property:** No person, unless authorized by the Utility in writing, shall draw water from, open, close, cut, break, or in any way injure or interfere with any fire hydrant, water main, water pipe, or any property of the Utility or obstruct the free access to any hydrant, stop cock, meter, building, etc. provided, however, that nothing in this paragraph contained shall be deemed to prevent an officer or member of the Fire Department engaged in the work of such Department, from using any hydrant or other source of water supply of the Utility for such purpose.

31. **Suspending Service for Violation:** Whenever, in the opinion of the Utility, violation of any of these Rules and Regulations is existing or has occurred, the Utility may cause the water service to be suspended from the premises where such violation has occurred or is existing and may keep the same so suspended until satisfied that the cause for such action has been removed.
32. **Resumption of Service:** In all cases where water service has been suspended for violation of any of these rules, service shall not be restored until the cause for violation has been removed and a \$50.00 (HST extra) reconnection charge (\$100.00 [HST extra] if reconnection is completed outside of regular working hours) has been paid.
33. **Requests for Connection or Reconnection:** A charge of \$100.00 (HST extra) will be paid for water service connected or reconnected outside of regular working hours.
34. **Sprinkler Service Mains and Hydrant System:** The customer shall be responsible for the cost of installing and maintaining a sprinkler service pipe from the main in the street to the building. It shall include a proper size control valve so that the service may be shut off if necessary. If requested by the applicant, a domestic service pipe may be connected to the sprinkler service pipe, but only if it is connected outside the building foundation wall and is provided with an approved shutoff valve located outside the building to permit control of the domestic service pipe without the necessity to enter the building. Before any domestic service pipe is connected to a sprinkler service pipe, the applicant must obtain approval from the appropriate authority and provide the Utility with a certified copy of such approval. The Utility shall supervise the installation of same. When the private fire protection system includes private hydrants, these hydrants must be flushed during the Utility's regular flushing periods, under the supervision of the Utility's personnel. These hydrants shall be maintained in a manner, or on a regular basis as approved by the Utility.
35. **Pressure Reducing Valves:** Where, in the opinion of the Utility, it is necessary for proper water service, a customer shall install on the service pipe, between the meter and the shut off valve on the supply side of the meter, a pressure reducing valve of a type satisfactory to the Utility. The customer shall be responsible for the cost of installing and maintaining the pressure reducing valve at all times.
36. **Pressure Relief Valves:** Whenever a pressure reducing valve has been installed by a customer in accordance with Regulation 35, the customer shall, for his own safety and protection, install on his hot water boiler and any other hot water heating device connected to the building's plumbing system, a pressure relief valve of an approved type, as well as an approved temperature limiting device. It shall be the customer's responsibility to maintain and keep in service the pressure relief valve at all times.

37. **Water Conservation Directives:** The Utility may enact conservation of water directives to its customers if in the opinion of the Utility such directives will permit the Utility to provide a reliable, continuous water supply to all customers served by the Utility.

During such times as these directives may be enacted, customers who do not comply with the directives may have the water supply suspended until such time as the customer will agree to comply with the directive or upon suspension of the water conservation directive, whichever occurs first.

In the event that water is temporarily suspended for non-compliance of a water conservation directive, the cost of turning on the service will be billed to the customer as per Regulation 32.

**NOVA SCOTIA UTILITY AND REVIEW BOARD**

**IN THE MATTER OF THE *PUBLIC UTILITIES ACT***

- and -

**IN THE MATTER OF AN APPLICATION** of the **MUNICIPALITY OF THE COUNTY OF COLCHESTER**, on behalf of the **Debert Water Utility**, for Approval of Amendments to its Schedule of Rates and Charges for Water and Water Services and its Schedule of Rules and Regulations

**BEFORE:**  Murray E. Doehler, CA, P.Eng., Member

**ORDER**

**WHEREAS** the Municipality of the County of Colchester, on behalf of the Debert Water Utility (the "Utility"), has made an application on July 4, 2011, to the Nova Scotia Utility and Review Board (the "Board") for an Order approving amendments relating to Bulk Water Rates to its Schedule of Rates and Charges for Water and Water Services;

**AND WHEREAS** the Board has been asked to approve the Application *ex parte* under s. 69 of the *Public Utilities Act* which reads as follows:

**Interim approval of schedule**

**69(1)** When a public utility has submitted for the approval of the Board a schedule of rates, tolls and charges, or a proposed change in any existing schedule of rates, tolls and charges, which, in the opinion of the Board, either constitutes a reduction in the existing schedule of rates, tolls and charges at the time being

paid by the majority of the customers of such public utility affected by such change in the class of service to which such proposed change applies or which applies only in respect of a service for which no rates, tolls or charges have been previously approved, the Board may at any time before finally approving or disapproving of such schedule or change, grant an interim approval thereof, with or without modification, and thereafter the existing schedule of rates, tolls and charges of such public utility as amended by such schedule of charges, interim approval of which with or without modification, as the case may be, has been so granted by the Board, shall be the only lawful rates, tolls and charges of such public utility until the Board shall express its final approval or disapproval thereof, with or without modification or amendment.

**Filing of final approved schedule**

- (2) Thereafter the existing schedule of rates, tolls and charges of such public utility as amended by such schedules of rates, tolls and charges or change so finally approved by the Board, with or without modification or amendment, shall be filed with the Board and shall be the only lawful rates, tolls and charges of such public utility until altered, modified or reduced as provided in this Act.

**Interim approval may be ex parte and without notice**

- (3) Notwithstanding any other provisions of this Act, the interim approval referred to in this Section may be given *ex parte* and without public hearing or notice. R.S., c. 380, s. 69.

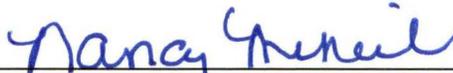
**AND WHEREAS** the Board has reviewed the Application, the existing Schedule of Rates and the information submitted in connection with the Application, and is satisfied that the Municipality has agreed to the proposed rate and that the current Schedule of Rates does not include a rate for bulk water service:

**IT IS HEREBY ORDERED THAT:**

1. the Schedules of Rates and Charges for Water and Water Services, as amended, and attached hereto as Schedules "A", "B" and "C" be approved, effective for water and water services supplied on and after July 20, 2011, April 1, 2012, and April 1, 2013, respectively;

2. the bulk water rate for the supply of water by the Debert Water Utility will be subject to review and approval at the Utility's next general rate hearing.

**DATED** at Halifax, Nova Scotia, this 20<sup>th</sup> day of July, 2011.

  
Nancy G. Neil  
Clerk of the Board

**SCHEDULE "A"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**



**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after July 1, 2011)  
(Amended by Order dated July 20, 2011)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. **RATES:**

(a) <b><u>Base Charges</u></b>	<b><u>Quarterly</u></b>
<b><u>Metered</u></b>	
5/8"	\$ 81.62
3/4"	118.85
1"	193.31
1.5"	379.47
2"	602.87
3"	1,198.58
4"	1,868.76
6"	3,730.38
8"	6,708.96

(b) **Consumption Rates**

Consumption Rate: \$8.13 per 1,000 gallons  
\$1.79 per cubic metre

(c) Unmetered Rate \$203.34 per quarter  
(based on 272 c.m./yr.)

(d) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2011, the sum of \$80,363.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service  
pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service  
pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and

disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

12. BULK WATER (effective July 20, 2011)  
*(Amended by Order dated July 20, 2011)*

Bulk water will be provided to water haulers who have been approved by the Utility at the designated location at a cost of \$5.84 per cubic metre or part thereof.

**SCHEDULE "B"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**



**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after April 1, 2012)  
(Amended by Order dated July 20, 2011)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. RATES:

(a) <u>Base Charges</u>	<u>Quarterly</u>
<u>Metered</u>	
5/8"	\$ 87.50
3/4"	127.62
1"	207.87
1.5"	408.50
2"	649.24
3"	1,291.23
4"	2,013.47
6"	4,019.69
8"	7,229.65

(b) Consumption Rates

Consumption Rate: \$8.83 per 1,000 gallons  
\$1.94 per cubic metre

(c) Unmetered Rate \$219.42 per quarter  
(based on 272 c.m./yr.)

(d) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2012, the sum of \$91,344.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service  
pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service  
pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

12. BULK WATER

Bulk water will be provided to water haulers who have been approved by the Utility at the designated location at a cost of \$6.33 per cubic metre or part thereof.

**SCHEDULE "C"**

**MUNICIPALITY OF THE COUNTY of COLCHESTER  
DEBERT WATER UTILITY**



**SCHEDULE OF RATES FOR WATER AND WATER SERVICES**

(Effective for water supplied on and after April 1, 2013)  
(Amended by Order dated July 20, 2011)

**RATES**

The rates set out below are the rates approved by the Board for water and water services when payment is made within 30 days from the date rendered as shown on the bill.

When payment is made after 30 days from the date rendered as shown on the bill, the rates will include interest charges of 1.25% per month, or part thereof.

Each bill shall show the amount payable within 30 days from the date rendered as shown on the bill.

In this Schedule, the term "Utility" means the Debert Water Utility of the Municipality of the County of Colchester.

1. **RATES:**

(a) <b><u>Base Charges</u></b>	<b><u>Quarterly</u></b>
<b><u>Metered</u></b>	
5/8"	\$ 90.78
3/4"	132.49
1"	215.92
1.5"	424.49
2"	674.77
3"	1,342.18
4"	2,093.09
6"	4,178.68
8"	7,515.75

(b) **Consumption Rates**

Consumption Rate:       \$9.20 per 1,000 gallons  
                                      \$2.03 per cubic metre

(c) Unmetered Rate \$228.82 per quarter  
(based on 272 c.m./yr.)

(d) Minimum Bills

The minimum bill shall be the base charge.

2. PUBLIC FIRE PROTECTION RATE

The Municipality of the County of Colchester shall pay annually to the Debert Water Utility for fire protection services, on or before September 30, 2013, the sum of \$103,358, or

For subsequent years, the annual public fire protection rate shall be based on:

a) The sum of 45.6% of transmission and distribution, taxes and depreciation expenses of the Utility and return on rate base of the immediately preceding year, plus;

b) 10% of all other expenses,

whichever is greater.

3. RATES FOR SPRINKLER SYSTEMS

Each building having a sprinkler system installed shall pay annually for the service as follows:

Each building served by a sprinkler service  
pipe of 6" diameter or less \$200.00.

Each building served by a sprinkler service  
pipe of 8" diameter \$300.00.

4. WATER FOR BUILDINGS OR WORKS UNDER CONSTRUCTION

The Utility may furnish water to any person requiring a supply thereof for the construction of a building or other works. This person shall deposit with the Utility such sum as may be determined by the Utility as is sufficient to defray the cost of making the necessary connection to water services or main together with the cost of the meter to be installed to measure the water consumed. Upon completion of the work and the return of the meter to the Utility, a refund will be made after deducting the cost, if any, of repairing the meter and of testing the same and payment of the base and connection charges and the consumption rates in respect to such installation.

5. RATES FOR WATER SUPPLIED FROM FIRE HYDRANTS

Whenever the use of any fire hydrant is desired for supplying water for any purpose, excepting those of the Fire Department for fire use, the Utility may grant a permit containing such terms and conditions as it may provide, including arrangements regarding supervision of the opening and closing of the hydrant and a service charge for commercial consumers of \$60.00 for connection and disconnection and a consumption charge for the amount of water used as estimated by the Utility, at meter consumption rates.

6. PRIVATE HYDRANTS

Per Hydrant per year \$200.00.

7. CHARGES FOR RE-ESTABLISHING WATER SERVICE

When water service has been suspended for any violation of the Rules and Regulations of the Utility, such water service shall not be re-established until a reconnection charge of \$50.00 has been paid to the Utility. If reconnection is outside of regular working hours, the charge is \$100.00

8. CONNECTION FEE

The Utility shall charge a \$50.00 fee for the creation of a water account, notwithstanding the fact that no physical disconnection of the system may have occurred.

9. DISCONNECTION FEE

Whenever a customer, for any reason requests that the water be turned off from any premises, a charge of \$50.00 shall be made for turning off the water, and no additional charge shall be made for turning it on again when this is requested unless such request is after regular working hours of the Utility when a fee of \$100.00 shall apply.

10. CHARGE FOR NON-NEGOTIABLE CHEQUES

The Utility may charge a \$25.00 administration fee for cheques that, due to non-negotiability, have been rejected by the Utility's bank.

11. CHARGE FOR MISSED APPOINTMENT BY CUSTOMER

Where an appointment has been made by a customer to have a water service hooked up or a meter inspected, or water turned on to the property, or other visits to the property for the inception of maintenance of water service to the property, and the customer fails to keep the appointment or the plumbing is not completed

to allow for installation of a water meter and the Utility's staff have to return to the property, there may be a charge of \$25.00 for each visit if, in the judgment of the Utility, it is required.

12. BULK WATER

Bulk water will be provided to water haulers who have been approved by the Utility at the designated location at a cost of \$6.70 per cubic metre or part thereof.