

Original Sheet No. 1

WN U-1

Canyon Lakes Water Company, LLC

For Commission's Receipt Stamp

NAMING RATES FOR

Canyon Lakes Water Company, LLC

at

3700 W. Canyon Lakes Drive
Kennewick, WA 99337
(509) 582-3736
canyonlakesgolfcourse.com/water_company/
UBI # 602 008 669

and

CONTAINING RULES AND REGULATIONS

GOVERNING SERVICE

Issued Date: March 29, 2021 **Effective Date:** January 1, 2022

Issued By: Canyon Lakes Water Company, LLC.

By: Mike Lundgren **Title:** President

Address: 3700 W. Canyon Lakes Drive, Kennewick, WA 99337

Telephone Number: (509) 582-3736 **Email:** mike@canyonlakesgolfcourse.com

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Title: President

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Legend of Symbols

The following symbols are applicable to all tariff schedules and rules of the utility. These symbols will be used in the far right margin on all pages where changes have been made to current tariff.

- D - Discontinued rate, service, regulation, or condition.
- N - New rate service, regulation, condition, or sheet.
- I - A rate increase.
- R - A rate reduction.
- C - Changed condition or regulation.
- K - That material has been transferred from another sheet in the tariff. (A footnote is required on the tariff sheet to identify the new sheet number)
- M - That material has been transferred from another sheet in the tariff. (A footnote is required on the tariff sheet to identify the former sheet number)
- T - A change in text for clarification.
- O - No change (This symbol is discretionary unless specifically requested by the commission).

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WATER SERVICE
RULES AND REGULATIONS

Rule 1 – Adoption of Rules of Regulatory Authorities

The regulation rules pertaining to water service prescribed by the Washington Utilities and Transportation Commission (Commission) described in Revised Code of Washington (RCW) Title 80 and Washington Administrative Code (WAC) Title 480 are thereby adopted and made a part of this tariff.

Rule 2 – Schedules and Conditions

The schedules and conditions specified in this tariff for water service are subject to change according to the public service laws of the State of Washington. The amount of water delivered is dependent on the Bureau of Land Management (BLM). BLM dictates how much water the Kennewick Irrigation District (KID) can divert from the Yakima River during the irrigation season. KID then dictates how much irrigation water can be supplied from their canal systems to Canyon Lakes Water Company, LLC (CLWC). From there, CLWC distributes available irrigation water to its respective customers. The water resources and water rights are subject to the Washington State Department of Ecology's (DOE) required standards of issued permits for ground water withdrawal. All schedules for water service apply to applicants for our customers receiving water service from the Utility.

Rule 3 – Application and Agreement for Service

Each prospective customer desiring water service will be required to sign the Utility's standard form of application before service is supplied.

An application for service is notice that the prospective customer desires water service from the Utility and represents agreement to comply with the Utility's rules and regulations on file with the Commission and in effect at the time service is furnished. In the absence of a signed application for water service, the delivery of water by the Utility through a standard connection and the taking thereof by the customer will constitute an agreement by and between the Utility and the customer for the delivery and acceptance of service under the applicable rate schedule(s) and these rules and regulations.

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WATER SERVICE
RULES AND REGULATIONS

Rule 4 – Definition of Service

Service will be supplied as described in these rules and under the applicable rate schedule(s). Water service will be used only for the purpose specified in the service agreement and applicable rate schedule(s). A customer will not sell or permit others to use such service, unless authorized to do so under written contract with the Utility.

The customer will not increase demand or use of service as stated in the application for service without giving prior notice of such increase. In the event of such increase, the customer is required to pay the Utility's regularly published rates from the date of increased service or initial use of the service.

Whenever the customer wants to permanently discontinue the use of water, the customer must cause the fixture to be removed and the branch pipe or service supplying the same to be capped or plugged, and must notify the Utility in writing before any reduction in charge will be made.

Rule 5 – Disconnection Visit Charge

When a Utility employee is dispatched (single visit) to disconnect service, that employee must accept payment of a delinquent account and service will not be disconnected. If a disconnect visit charge is specified in **Schedule X**, the company may require payment of the fee at the door or charge it on the customer's next bill. If amount owing is tendered in cash, Utility employee will not be required to dispense change for excess over the delinquent amount due and owing. Any excess payment will be credited to the customer's account. Disconnection visits will only be made following the required notices to the customer.

Rule 6 – Reconnection Charge

When a Utility employee is dispatched (single visit) to reconnect service to the Utility distribution system, a reconnection charge will apply if specified in **Schedule X**. Such charge is to apply only in cases where service (which includes, but is not limited to violations of Rule 17 – Disconnection of Service) has been discontinued.

The Utility will restore service when the cause of discontinuance has been removed or payments of all proper charges due from customer have been made. No charge will be made for reconnection of service if the shut-off was made for the convenience of the Utility in making repairs, changes, etc.

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WATER SERVICE
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Rule 7 – Installation of Service Pipes

The Utility will construct service connections of a proper size from its distribution mains to the customer's property. The Utility reserves the right to refuse to construct a service connection to any property if the applicant's pipes are not properly constructed and protected.

Rule 8 – Distribution Main Extension

'Utility Allowance' – Where elevation and construction conditions allow and one or more bona fide prospective permanent customers request a main extension, the Utility will construct and pay for the same, if the Utility has sufficient capacity available to meet DOH standards of quantity and quality.

'Customer Prorate Share' – The cost of main extension in excess of the estimated customer(s) revenue for three (3) years (Utility allowance) must be paid by the prospective customers in advance.

'Construction Contract' – No main extension will be considered as coming under this rule where the total cost of the main extension is greater than the estimated customer(s) revenue for six (6) years. Water main extensions and/or fire hydrants will be installed after contracts have been approved by the Commission pursuant to WAC's for special contracts for water utilities and distribution extensions.

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WATER SERVICE
RULES AND REGULATIONS

Rule 9 – Responsibility for, and Maintenance of, Services

'Point of Delivery' – The point at which water will be delivered to and received by the customer will be on the property line of the customer's property at a point designated by the Utility.

The Utility will install its connection device at the Point of Delivery, except, at its option, the Utility may install its connection device at some other agreed point on the property of the customer, provided that in such event the property line will nevertheless be deemed the Point of Delivery.

The customer will assume all responsibility after Point of Delivery for water supplied by the Utility. The Utility will be exempt from all liability for loss or damage caused by leakage or escape of water furnished by the Utility, after water has passed the Point of Delivery. If the customer has an Approved Backflow Prevention Assembly installed the assembly must be tested annually by a certified Backflow Assembly Tester specialist.

All service pipes and fixtures on the customer's side of the Point of Delivery shall be provided and must be maintained and protected from freezing at the customer's expense. Where there are leaking or defective pipes or fixtures, the water may be turned off at the option of the Utility until properly repaired. The Utility may require any service to be equipped with freeze prevention devices to be used during cold weather conditions instead of permitting water to run continuously from faucets.

Rule 10 – Access to Premises

The Utility's regularly authorized agents or employees will have access to the premises of the customer at reasonable hours for inspection, connection, disconnection, repair or removal of the Utility's property. After properly notifying the customer, the water company may discontinue service for refusing to allow access per WAC 480-110-355.

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WATER SERVICE
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Rule 11 – Service Visit Charge

The customer will pay a Service Visit Charge as specified in **Schedule X** when a Utility employee or agent is dispatched to the premise and the condition was caused by or was the responsibility of the customer.

Rule 12 – Interruption to Service

The Utility will make a diligent effort to render uninterrupted service and supply of water during the irrigating season. In cases where shut-off is necessary for repair, reconstruction, damage prevention or similar cause, lack of water as determined by the BLM or the KID, the Utility will give advance notice to its customers of such scheduled shut-off. This will be generally done at canyonlakesgolfcourse.com/water_company/. However, the Utility will not be responsible for any damage that may result from any cessation of services 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 stated above.

Rule 13 – Bills

All bills shall be paid Annually in arrears and are due and payable upon receipt and are considered delinquent no less than thirty (30) days after the date mailed. Bills will be deemed received upon personal delivery to customer or three (3) days following the deposit of the bill in the United States mail to the customer's last known address.

Rule 14 – Late Payment Charge

Bills are due and payable upon receipt. Bills are considered late thirty (30) days after the bill mailing date. A Late Payment Charge as specified in **Schedule X** of the unpaid balance shall be added to each account for each month the bill is unpaid. The late payment charge will not be applied to any disputed amount unless such amount remains unpaid for more than fifteen (15) days after the dispute has been resolved.

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RULES AND REGULATIONS

Rule 15 – Deposits

The Utility may require a deposit in situations when a customer is unable to establish or maintain credit with the Utility, or where a customer's service has been disconnected for nonpayment of amounts owed to the Utility as defined by Commission rules.

The deposit will not be more than 10% of estimated annual billing.

When the Utility collects customer deposits, interest must be paid for each calendar year, at the rate for the one-year Treasury Constant Maturity calculated by the U.S. Treasury, and published in the Federal Reserve's Statistical Release H.15 on January 15 of that year. Interest is computed from the date of deposit to the date of refund or when applied directly to the customer's account.

The Utility must refund deposits plus accrued interest when there has been satisfactory payment, as defined by Commission rules or upon termination of service, less any amounts due to the Utility by the customer.

In addition, the Utility will comply with all provisions of the Commission's deposit rules pursuant to WAC's for establishing credit and deposits for water utilities.

Rule 16 – Responsibility for Delinquent Accounts

A water company must not refuse or discontinue service to an applicant or customer when there are unpaid bills from a prior customer at the same premises unless the company believes, based on objective evidence, that the applicant is acting on behalf of the prior customer with the intent to avoid payment.

A water company cannot permanently deny service to an applicant or customer because of a prior obligation to the company. A prior obligation is the dollar amount that has been billed to a customer but left unpaid at the time of disconnection of service for nonpayment.

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WATER SERVICE
RULES AND REGULATIONS

Rule 17 – Discontinuance of Service

The Utility reserves the right to discontinue service to its customers for:

1. Unpaid bills, as provided for in this tariff.
2. Water uses for purposes or properties other than those specified in the customer's application for service.
3. Willful waste of water through improper or defective piping, equipment, or otherwise.
4. Piping or equipment that does not meet the Utility's standards or fails to comply with other applicable codes and regulations.
5. Tampering with the Utility's property.
6. Vacating the premises.
7. Nonpayment of any proper charges, including deposit, as provided in this tariff.
8. Refusing to allow access as required in commission Rules.
9. Violating rules, service agreements, or effective tariffs, including violation of outdoor watering instructions given to customers in order to curtail water use during time of shortage.
10. Use of equipment that detrimentally affects the Utility's service to its other customers.
11. Service obtained by fraud.
12. Failure to comply with cross connection control requirements, backflow assembly testing and inspection.

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Rule 17 – Discontinuance of Service (cont'd)

Discontinuance of service by a customer - Customer shall be required to give notice to the Utility of their intention to discontinue service.

Discontinuance of service by a company - The right to discontinue service may be exercised whenever and as often as any of the foregoing situations occur, and neither delay nor omission by the Utility to enforce this rule any time will be deemed a waiver of its right to discontinue service.

Utility shall not be liable for loss, damage, or claims that arise from or relate to the discontinuance of service as a result of any of the foregoing reasons described in the rule.

Required notice prior to disconnecting service: The Utility must serve a written disconnection notice on the customer, either by mail, or, at the Utility's option, by personal delivery of the notice to the customer's address, attached to the primary door.

A minimum of eight (8) business days' written notice will be given a customer before service is discontinued, except in the case of danger to life or property. Before disconnecting service, the Utility must in addition to the first (1st) notice as described above, provide a second (2nd) notice by one of the two options listed below.

- a. Delivered notice - The Utility must deliver a second (2nd) notice to the customer and attach it to the customer's primary door. The notice must contain a deadline for compliance that is no less than twenty-four (24) hours after the date of delivery that allows the customer until 5:00 p.m. of the following day to comply, or
- b. Mailed notice - The Utility must mail a second (2nd) notice, which must include a deadline for compliance that is no less than three (3) business days after the date of mailing if mailed from within the state of Washington.

Disconnection notice will expire after ten (10) business days from the first day that the Utility may disconnect service, unless other mutually agreed upon arrangements have been made and confirmed in writing by the Utility. If mutually accepted arrangements are not kept, the Utility may disconnect service without further notice.

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WATER SERVICE
RULES AND REGULATIONS

Rule 18 – Sprinkling and Irrigation

Water used for sprinkling and irrigation must be paid for at the regular prescribed tariff rates for such service. The hours for such use will be as prescribed from time to time by the Utility, subject to protest by any customer affected and reviewed by the Commission. 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. No person will use water for sprinkling or irrigation purposes during any fire in the area, and all sprinkling or irrigation must be stopped immediately when a fire alarm is sounded. Water use may resume three (3) hours after the fire has been extinguished.

Rule 19 – Rates

Rates for water service and supply are those published in the Utility's tariff on file with the Commission. Unless otherwise stated in this tariff, the rates apply to a single service, to one customer at one premise. Water service must be subscribed to on an annual basis. No proration or reduction in billing is allowed unless this tariff proscribes temporary or seasonal rates.

When conditions require that two or more consumers with separate housekeeping establishments occupy the same or separate dwellings, be supplied through a *non-metered service*, consumers using water through a single connection are considered a single customer and will be charged the base charge as provided by the schedule of rates.

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WATER SERVICE
RULES AND REGULATIONS

Rule 20 – Account Set-Up Charge

An account set-up charge as specified in **Schedule X** will be made for each new account, temporary, seasonal reconnection, or change of account responsibility on an existing service. Such charge will be included in the initial billing to the customer. An account set-up charge does not apply to owners or agents assuming temporary responsibility for service to vacant premises.

Rule 21 – Non-Sufficient Funds (NSF) Charge

An NSF check charge as specified in **Schedule X** will be made for handling customer checks that have been returned by the bank as NSF or account closed. This charge will be applied to the next billing to the customer.

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WATER SERVICE
RULES AND REGULATIONS

Rule 26 – Limitations of Liability

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

There shall be no liability for consequential or incidental damages. The Utility clearly disclaims all warranties, stated or implied, except those specifically set forth in this tariff, including, but not limited to, implied warranties of merchantability and fitness for a particular purpose.

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

Rule 27 – Unauthorized Use of Service

Where service has been disconnected either through the request of the customer or through action of the Utility, and the service – which includes, but is not limited to, the saddle, curb stop, piping, meter setter, angle stop, check valve, meter – has been locked, authorized service cannot be restored without the Utility first reinitiating service.

If service is restored by the unauthorized removal of the lock or tampering, the customer receiving the unauthorized service will be charged the current replacement cost of all damages to the Utility’s property and service, plus a Service Visit Charge for inspection of damages in accordance with **Rule 11** in this tariff.

In addition, the Utility will charge the customer receiving unauthorized service the tariff rate for all service that the Utility estimates was taken plus all of the Utility’s costs resulting from the unauthorized use and all applicable fees pursuant to WAC’s for discontinuing of service for water utilities.

Rule 28 – Damage and Repairs Charge

If any customer or a customer’s contractor causes damages to pipes, mains or other equipment of the Utility’s maintained infrastructure, the customer will be responsible for paying the Damage and Repairs Charge as specified in **Schedule X**.

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SERVICE AREA

Water System List

County: Benton

<u>System Name</u>	<u>DOH WFI #</u>
Canyon Lakes Water Company, LLC	

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SCHEDULE NO. 1
IRRIGATION ASSESSMENT – MAINTENANCE AND DISTRIBUTION

Availability

This schedule is available in all Water Service Areas served by the Utility and at Utility's option.

Applicable

Each customer (parcel).

Conditions

The flat rate charge for service is not subject to cancellation or reduction for seasonal or temporary periods. Flat rate charge will be the annual bill for this class of service and will be in addition to other charges as provided in this tariff.

Annual Charge

Rate

Each customer (parcel)

\$160.00

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SCHEDULE NO. 2
IRRIGATION ASSESSMENT – MAINTENANCE, DISTRIBUTION AND WATER

Availability

This schedule is available in all Water Service Areas served by the Utility and at Utility's option.

Applicable

Each customer (parcel).

Conditions

The flat rate charge for service is not subject to cancellation or reduction for seasonal or temporary periods. Flat rate charge will be the annual bill for this class of service and will be in addition to other charges as provided in this tariff.

Annual Charge

Rate

Each customer (parcel)

\$425.00

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SCHEDULE NO. 3
APPLIES TO CONDOMINIUMS and TOWNHOUSES
IRRIGATION ASSESSMENT – MAINTENANCE AND DISTRIBUTION

Availability

This schedule is available in all Water Service Areas served by the Utility and at Utility’s option.

Applicable

Each customer(s) (parcel(s)).

Conditions

The flat rate charge for service is not subject to cancellation or reduction for seasonal or temporary periods. Flat rate charge will be the annual bill for this class of service and will be in addition to other charges as provided in this tariff.

Annual Charge

Rate

Condominiums at Canyon Lakes

\$1,000.00

Ridgeline Condominiums

\$1,040.00

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SCHEDULE NO. 4
APPLIES TO CANYON LAKES PROPERTY OWNERS ASSOCIATION
COMMON AREAS
IRRIGATION ASSESSMENT – MAINTENANCE AND DISTRIBUTION

Availability

This schedule is available in all Water Service Areas served by the Utility and at Utility’s option.

Applicable

Each customer(s) (parcel(s)).

Conditions

The flat rate charge for service is not subject to cancellation or reduction for seasonal or temporary periods. Flat rate charge will be the annual bill for this class of service and will be in addition to other charges as provided in this tariff.

Annual Charge

Rate

Canyon Lakes Property Owners Association

\$1,600.00

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SCHEDULE X
ANCILLARY CHARGES

Rule 5	Disconnection Visit Charge (per visit)	\$25.00
Rule 6	Reconnection Charge (per visit) Plus, time at \$25 per hour per employee plus materials	\$100.00
Rule 11	Service Visit Charge (per visit)	\$25.00
Rule 14	Late Payment Charge – 1% monthly finance charge	
Rule 20	Account Set-up Charge	\$10.00
Rule 21	NSF Charge (each check)	\$25.00

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