

INDIANA UTILITY REGULATORY COMMISSION

Final Rulemaking

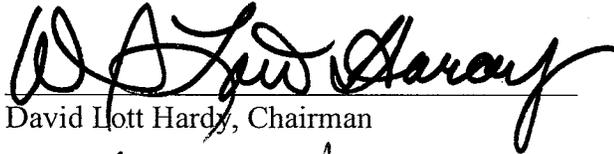
IURC RM #07-09

LSA #08-315(F)

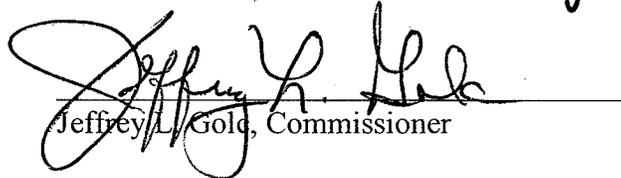
Amends 170 IAC 4-1-11, 170 IAC 4-1-12, 170 IAC 5-1-11, and 170 IAC 5-1-12 regarding customer requests for meter testing. Amends 170 IAC 6-1-1 through 170 IAC 6-1-12 regarding standards of service and meter testing for water utilities. Amends 170 IAC 6-2-2 regarding the classification of accounts for water utilities.

Upon prior publication of notice and a public hearing held on August 14, 2008, at 1:30 p.m., E.D.T. (local time) in Judicial Courtroom 224 of the National City Center, 101 W. Washington Street, Indianapolis, Indiana, as required by the provisions of I.C. 4-22-2-1, *et seq.*, the Indiana Utility Regulatory Commission, on September 10, 2008, at 2:00 p.m. E.D.T. in Judicial Courtroom 222, National City Center, Indianapolis, Indiana at which time a majority of members of said Commission were present, adopted the foregoing rule.

The Secretary is hereby directed to submit the aforesaid rule to the Attorney General and Governor of Indiana, for their approval of same, and thereafter to submit the aforesaid rule to the publisher, Indiana Register.

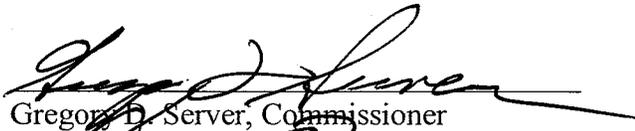


David Lott Hardy, Chairman

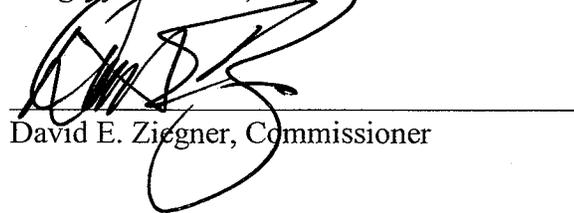


Jeffrey L. Gold, Commissioner

ABSENT
Larry S. Landis, Commissioner

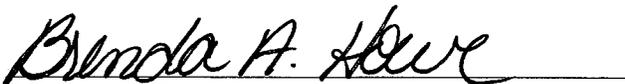


Gregory D. Server, Commissioner



David E. Ziegner, Commissioner

ATTEST:



Brenda A. Howe, Secretary to the Commission

Date:

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

Final Rule

LSA Document #08-315(F)

DIGEST

Amends 170 IAC 4-1-11, 170 IAC 4-1-12, 170 IAC 5-1-11, and 170 IAC 5-1-12 regarding customer requests for meter testing. Amends 170 IAC 6-1-1 through 170 IAC 6-1-12 regarding standards of service and meter testing for water utilities. Amends 170 IAC 6-2-2 regarding the classification of accounts for water utilities. Effective 30 days after filing with the Publisher.

170 IAC 4-1-11
170 IAC 4-1-12
170 IAC 5-1-11
170 IAC 5-1-12
170 IAC 6-1-1
170 IAC 6-1-2
170 IAC 6-1-3
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170 IAC 6-1-10
170 IAC 6-1-11
170 IAC 6-1-12
170 IAC 6-2-2

SECTION 1. 170 IAC 4-1-11 IS AMENDED TO READ AS FOLLOWS:

170 IAC 4-1-11 Customer requests for tests; application to utility

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

~~Sec. 11. Meter Tests Upon Written Request by Customer to Public Utility.~~ **(a)** Each public utility supplying electrical energy shall make a test of the accuracy of registration of a meter upon written request by a customer. A second test of this meter may be requested after twelve (12) months. **The first and second tests of a customer's meter shall be at no cost to the customer.**

(b) The customer may be required to bear the full **reasonable** cost of any subsequent tests of ~~this the customer's~~ meter if requested ~~at less than the:~~

(1) meter was:

(A) tested within the prior thirty-six (36) month intervals if no error be found

months at the customer's request; and

(B) found to be in compliance with section 10(c)(4) and 10(c)(5) of this rule;

(2) test is made:

(A) at the customer's request; or

(B) due to a billing dispute; and

(3) meter is found to be in compliance with section 10(c)(4) and 10(c)(5) of this rule.

(c) If the utility requires payment from the customer under subsection (b), the utility shall disclose the cost of the test to the customer prior to the test being performed.

(d) A written report giving the results of such tests the test shall be made to the customer within ten (10) days after the test is complete, and a complete record of the same test shall be kept on file in the office of the public utility.

(e) Any appeal, in regard to the results of the customer's meter test, shall be filed with the commission under section 12 of this rule within five (5) days of the date of the report.

(Indiana Utility Regulatory Commission; No. 33629: Standards of Service For Electrical Utilities Rule 11; filed Mar 10, 1976, 9:10 a.m.: Rules and Regs. 1977, p. 344; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 2. 170 IAC 4-1-12 IS AMENDED TO READ AS FOLLOWS:

170 IAC 4-1-12 Customer requests for tests; application to commission

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

Sec. 12. (a) Upon application of any customer to the commission, **and at the discretion of the commission**, a test ~~may~~ **shall** be made of the customer's wathour meter by the public utility **or its contractor** under the supervision of an employee of the commission. ~~At the time the customer requests a meter test,~~ The commission shall promptly notify the public utility of any ~~such request.~~ **application**. No fee shall be payable by the customer for ~~such~~ the test, **except as may be charged under section 11(b) of this rule.**

(b) Upon application of any customer to the commission, **and at the discretion of the commission**, an electric demand test ~~may~~ **shall** be made upon the customer's electric load by the public utility **or its contractor** under the supervision of an employee of the commission. ~~such~~ **The commission shall promptly notify the utility of any application. The requested test to shall** be made as soon as practicable after receipt of the application and under exactly similar conditions of installation and operation as may be mutually agreed upon, in writing, by the customer and the public utility. No fee shall be payable by the customer for ~~such~~ the test, **except as may be charged under section 11(b) of this rule.**

(c) **This section shall not interfere with the practice of a utility in its tests of meters except that, upon receiving notice of a written application to the commission by a customer for a test, the utility shall not:**

(1) remove;

(2) interfere with; or

(3) discard;

the customer's meter until completion of the test without the prior written consent of the

customer, unless the removal of the meter is required in order to perform the requested test.

(Indiana Utility Regulatory Commission; No. 33629: Standards of Service For Electrical Utilities Rule 12; filed Mar 10, 1976, 9:10 a.m.: Rules and Regs. 1977, p. 345; filed Jan 15, 1997, 2:00 p.m.: 20 IR 1346; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 3. 170 IAC 5-1-11 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-1-11 Customer request for meter test; application to utility

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2

Sec. 11. Meter Tests Upon Written Request by Customer to Public Utility. **(a)** Each public utility supplying gas service shall make a test of the accuracy of registration of a meter upon written request by a customer. A second test of the customer's meter may be requested after twelve (12) months. **The first and second tests of a customer's meter shall be at no cost to the customer.**

(b) The customer may be required to bear the full reasonable cost of any subsequent tests of the customer's meter if requested at less than the:

(1) meter was:

(A) tested within the prior thirty-six (36) months after preceding test, if error of the meter is at the customer's request; and

(B) found to be in compliance with Rule 6 (A); section 6(a) of this rule;

(2) test is made:

(A) at the customer's request; or

(B) due to a billing dispute; and

(3) meter is found to be in compliance with section 6(a) of this rule.

(c) If the utility requires payment from the customer under subsection (b), the utility shall disclose the cost of the test to the customer prior to the test being performed.

(d) A written report giving the results of such tests the test shall be made to the customer within ten (10) days after the test is complete and a complete record of the same test shall be kept on file in the office of the public utility.

(e) Any appeal, in regard to the results of the customer's meter test, shall be filed with the commission under Rule 12 section 12 of this rule within five (5) days of the date of the report.

(Indiana Utility Regulatory Commission; No. 34613: Standards of Service For Gas Public Utilities Rule 11; filed Oct 14, 1976, 10:20 a.m.: Rules and Regs. 1977, p. 398; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 4. 170 IAC 5-1-12 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-1-12 Customer request for meter test; application to commission

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

Sec. 12. (a) **Upon application of any customer to the commission, and at the discretion of the commission**, a test ~~will~~ **shall** be made of a customer's meter by the public utility **or its contractor** under the supervision of an employee of the commission. ~~upon formal notice to the utility and application to the commission. At the time the customer requests a meter test,~~ The commission shall promptly notify the public utility of any such request **application**. No fee shall be payable by the customer for such ~~the~~ test, **except as may be charged under section 11(b) of this rule.**

(b) This section shall not interfere with the practice of a public utility in its test of gas service meters except that, ~~in the event~~ **upon receiving notice** of a written application to the commission by a customer for a test, the utility shall not: ~~knowingly~~

- (1) remove; ~~or~~
- (2) interfere with; ~~said or~~
- (3) **discard;**

the meter until completion of the test without the prior written approval ~~consent~~ of the customer, **unless the removal of the meter is required in order to perform the requested test.**

(Indiana Utility Regulatory Commission; No. 34613: Standards of Service For Gas Public Utilities Rule 12; filed Oct 14, 1976, 10:20 a.m.: Rules and Regs. 1977, p. 398; errata, 11 IR 4109; filed Jun 8, 1992, 5:00 p.m.: 15 IR 2165; filed Jan 15, 1997, 2:00 p.m.: 20 IR 1346; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 5. 170 IAC 6-1-1 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-1 Definitions

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-1

Sec. 1. Definitions: (a) Where applicable, the definitions set forth in **IC 8-1-2-1** (~~Burns 54-105~~) shall be applied to these rules. ~~and~~

(b) **"AWWA Standards"** means the standards contained in the fourth edition of the American Water Works Association M6 Manual of Water Supply Practices, "Water Meters – Selection, Installation, Testing, and Maintenance", published in 1999 and available for purchase from the American Water Works Association, 6666 West Quincy Avenue, Denver, CO 80235. The AWWA Standards are hereby incorporated by reference and do not include any later amendments or editions.

(c) **"Commission"** means the Indiana utility regulatory commission.

~~(B) The word~~ (d) **"Customer"** ~~shall mean~~ means any:

- (1) person;
- (2) firm;
- (3) corporation;
- (4) municipality; or
- (5) other government agency; ~~which~~

that has agreed, orally, or otherwise, to pay for water service received from a water utility, provided, that, for the purposes of ~~Rules 15, 16 and 16.1~~ **sections 15 through 17 of this rule**, the word ~~"customer"~~ **term** shall be limited to mean persons who have agreed to pay for such service

exclusively for residential purposes.

~~(C) The word (e) "Disconnection" shall mean~~ **means** the termination or discontinuance of water service.

~~(D) The words (f) "Late payment charge" shall mean~~ **means** the one-time penalty assessed by a water utility upon all current bills at such the time as they become delinquent.

~~(E) The word "commission" shall mean the Public Service Commission of Indiana.~~

(g) "OUCC" means the Indiana office of utility consumer counselor.

(h) "Utility" or "water utility" means any public water utility that is:

(1) subject to the jurisdiction of the commission under:

(A) IC 8-1-2; or

(B) any other statute of the state of Indiana; and

(2) engaged in the:

(A) production;

(B) sale; or

(C) distribution;

of water service.

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 1; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 678; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 6. 170 IAC 6-1-2 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-2 Applicability of rules

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2

~~Sec. 2. Application of Rules. These rules~~ **This rule** shall apply to any public water utility subject to the jurisdiction of the commission pursuant to the provisions of the Public Service Commission Act, or any other statute of the State of Indiana, which is now or hereafter may be engaged in the production, sale or distribution of water service (herein called "utility" or "water utility.") **that meets the definition in section 1(h) of this rule.**

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 2; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 679; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 7. 170 IAC 6-1-3 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-3 Retention of records

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-12; IC 8-1-2-40

~~Sec. 3. Records to be Kept. All records required by these rules~~ **this rule** shall be preserved for at least three **(3)** years except as otherwise provided herein or by IC 8-1-2-40. ~~(Burns 54-135). Such records shall be:~~

(1) kept within the State **Indiana**:

(A) at the principal place of business of the water utility; or

(B) at such other places within the State **Indiana** as the utility shall designate after notification to the commission; and ~~shall be~~

(2) open for examination by:

(A) the commission; or

(B) its representatives; or

(C) the OUCC.

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 3; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 679; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 8. 170 IAC 6-1-4 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-4 Meter records and reports

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2

Sec. 4. ~~Record of Meters and Meter Tests.~~ (a) ~~Meter Test Record.~~ Whenever any meter in service is tested, a record shall be preserved containing:

(1) the information necessary for identifying ~~the~~ **that particular** meter;

(2) the reason for making the test;

(3) the reading of the meter before the test; and

(4) the result of the test; ~~together with~~ and

(5) all data taken at the time of the test;

in sufficiently complete form to permit the convenient checking of the methods employed.

(b) ~~Meter Record.~~ Permanent records shall: also

(1) be kept;

(2) be systematically arranged; ~~giving~~ and

(3) **contain** for each meter owned or used by any water utility the:

(A) year of purchase; its identification

(B) **information specifically identifying the meter**; and the

(C) record of the last test to which it ~~has been~~ **the meter was** subjected, with

including:

(i) the dates; and

(ii) general results ;

of the test.

These requirements apply to all meters purchased after the effective date of these rules and to all other meters insofar as the information is available. **To the extent practicable, utilities are encouraged to keep such records in a searchable electronic format.**

(c) ~~Tabulation of Meter Tests.~~ If required by the commission, annual tabulations of the results of all meter tests shall be made, arranged according to types and sizes of meters and intervals of tests or as the commission may request.

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 4; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 679; readopted filed Jul 11,

SECTION 9. 170 IAC 6-1-5 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-5 Location of meters

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-34; IC 8-1-2-35

Sec. 5. **(a) The location of meters may be determined by the utility pursuant to the utility's rules and specifications.**

(b) The meter may be located: either

(1) in an outdoor pit; or

(2) inside the building or premises of the customer being served; or

(3) in a standardized location pursuant to:

(A) utility rules; or

(B) local ordinance.

(c) When the meter is to be installed in an underground pit, the pit shall be located in a convenient and readily accessible location. Upon request by the customer before the installation is made, the pit will be located at the point requested, if feasible under proper utility standards. The pit must be constructed to protect the meter from freezing and damage by vehicular traffic. The pit location and design should prevent, as far as possible, the inflow of surface water.

(d) Meters installed in underground pits, to the extent practical, shall not be installed where they are likely to sustain damage due to being struck or crushed, as in driveways, parking lots, etc. When this is not possible, heavy duty tile, ring and lid assemblies shall be used to protect the installation and adjoining service or main or both.

(e) When, following the installation of an underground pit by the utility, a customer causes damage due to changes in property usage to:

(1) the underground pit;

(2) adjoining service;

(3) the water main; or

(4) any combination of the facilities listed in subdivisions (1) through (3);

the customer shall be responsible for the payment of necessary repairs to the damaged facilities.

(f) If the customer wishes to change the location of a properly located underground pit subsequent to its installation by the utility, the customer shall bear the cost of removal and reinstallation, including new service line and retapping of the main, if necessary.

(g) When the meter is to be installed indoors, it shall be located:

(1) as near as practical to where the service pipe enters the building;

(2) in a clean, dry, safe place that is:

(A) protected from freezing and hot water; and

(B) not subject to wide temperature variations; and

(3) so placed as to be at all times accessible for:

(A) reading;

(B) inspection; and

(C) removal for testing.

(h) If:

(1) a customer requests and the utility approves; or if

(2) the utility determines that it is desirable in order to facilitate meter reading;

a remote reading register device may be installed outside the building at an accessible location. (Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 5; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 679; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 10. 170 IAC 6-1-6 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-6 Meter register

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2

Sec. 6. ~~Meter Dials.~~ (a) All meters used to measure the volume of water sales shall register in: either

(1) U.S. gallons;

(2) cubic feet; or

(3) metric units.

(b) The meter register face shall clearly indicate whether the register is in:

(1) U.S. gallons;

(2) cubic feet; or

(3) metric units. ~~Straight and circular reading~~

(c) Registers shall have ~~printed on the dial face~~ the required numerals **on the register's face**, so that the meter can be correctly read to the nearest:

(1) **one hundred** (100) cubic feet;

(2) **one thousand** (1,000) U.S. gallons; or the

(3) metric equivalent thereof.

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 6; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 680; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 11. 170 IAC 6-1-7 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-7 Testing facilities; portable test meters

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2

Sec. 7. ~~Testing Equipment and Facilities.~~ (a) ~~Equipment.~~ Each water utility furnishing water to any of its customers on a metered basis shall provide ~~and maintain suitable equipment and facilities:~~

(1) **at the utility itself; or**

(2) **provided by another company;**

for testing and adjusting its meters satisfactory to the commission. ~~Meter testing equipment shall~~

at all reasonable hours be accessible for inspection and use by authorized representatives of the Engineering Department of the Commission. Upon written request, the Engineering Department of the Commission may exempt a utility from this requirement if satisfactory arrangements are made for the testing and adjusting of its meters by another water utility or repair agency, equipped to test meters properly in compliance with the Commission's rules and regulations.

(b) **Portable Test Meters.** Where portable test meters are used to determine the accuracy of meters in service, they shall be recalibrated by suitable testing apparatus at sufficiently frequent intervals to ~~insure~~ **ensure** correct registration at the specified rates of flow.

(c) **A utility, at its discretion, may outsource meter testing without having to obtain special exemption from the commission.**

(d) **All testing performed, whether by the utility or another company, shall be pursuant to the AWWA Standards.**

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 7; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 680; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 12. 170 IAC 6-1-8 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-8 Accuracy of meters

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

Sec. 8. ~~Meter Accuracy.~~ (a) ~~General.~~ All meters and appurtenances used for measuring quantity of water delivered to a customer shall be:

- (1) in good mechanical condition; ~~and shall be~~
- (2) adequate in size and design for the type of service ~~which~~ **that** they measure; and ~~shall be~~
- (3) accurate to within generally accepted standards.

(b) ~~Test Flows.~~ For determination of minimum test flow and normal test flow limits, the following specifications ~~will~~ **of the AWWA Standards shall** be used for test flows for displacement-type cold water meters:

Nominal Meter Size	Minimum Test Flow Gallons Per Minutes	Normal Test Flow Limit Gallons Per Minute
5/8 inch	1/4	1-20
3/4 inch	1/2	2-30
1 inch	3/4	3-50
1 1/2 inches	1 1/2	5-100
2 inches	2	8-160
3 inches	4	16-300
4 inches	7	28-500
6 inches	12	48-1000

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 8; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 680; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-

170070147RFA)

SECTION 13. 170 IAC 6-1-9 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-9 Determination of meter accuracy

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

Sec. 9. ~~Determination of Accuracy. Displacement Cold water meters shall be tested at three or more test flows: One at the minimum test flow, one at not more than 10% of the maximum normal test flow limit, and one not less than 35% of the maximum normal test flow limit. according to the AWWA Standards.~~ A meter shall not be placed in service if it registers less than 95% of the water passed through it at the minimum test flow or over or under registers more than 1 1/2% in the normal test flow limits, with the exception that a repaired meter shall register not less than the following appropriate percentage of the water passed through it at the minimum test flow, and shall not over or under register more than 2% in the normal test flow limits. **does not comply with the testing requirements of the AWWA Standards.**

If manufactured on or after January 1, 1955 90%

If manufactured prior to January 1, 1955 85%

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 9; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 681; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 14. 170 IAC 6-1-10 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-10 Periodic inspections and tests

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

Sec. 10. ~~Periodic Tests.~~ (a) For testing the accuracy of water meters, the utility may: either

- (1) adopt one of the methods ~~method~~ set out in Rule ~~10(B) and 10(C)~~; **subsection (b)**; or
- (2) request approval of an alternative method, as provided for in Rule ~~10(D)~~ **subsection (c)**.

(b) Each consumer water meter installed shall be periodically inspected and tested or **replaced** in accordance with the following schedule, or more often if the results may warrant, to ~~insure~~ **ensure** that the meter accuracy is maintained within the limits set out in Rule ~~9~~ **section 9 of this rule:**

5/8 inch meters	10 years, or for 100,000 cubic feet or equivalent units registered
5/8 by 3/4 inch meters	10 years, for 100,000 cubic feet or equivalent units registered
3/4 inch meters	8 years, or for each 150,000 cubic feet or equivalent units registered
1 inch meters	6 years, or for each 300,000 cubic feet or equivalent units registered

1 1/2 inch and over

On an as needed basis, based on consumption and revenue, but not less frequently than 4 years

~~(e) The schedule of periodic testing for installed water meters set forth above in Rule 10(B) may be extended by the use of the following Statistical Quality Control Program:~~

~~(1) The Statistical Quality Control Program shall be based on Military Standard No. 105-D, Sampling Procedures and Tables for Inspection by Attributes. Sample size code letters shall be taken from Table I, General Inspection Level II. Sample size and acceptance-rejection numbers shall then be determined from Table II A, single sampling plan for normal inspection, using Acceptance Quality Level (AQL) 10.~~

~~(2) The meters for quality control sampling shall be separated into homogeneous groups by manufacture, model, design, or other distinguishing characteristics by year set. The sample for each group shall, as far as possible, be taken from routine meter exchanges, removals, and field tests for each year, except that those meters removed or exchanged because of known or suspected defects or for special tests may be excluded from the quality control sample.~~

~~(3) If an inadequate sample of meters is routinely exchanged or removed, the balance of meters required for sampling will be obtained from meters in service by removal on a randomly selected basis.~~

~~(4) Beginning in the year prior to the last year indicated in the schedule of periodic testing set forth in Rule 10(B), and continuing through subsequent service years, meter groups shall be sample tested annually, being allowed to continue in service until an annual sample reaches its rejection number of deviant meters. The service life of meter groups may be extended by this quality control program as long as ninety percent of the meters in a sample group do not exceed an accuracy figure of 102.0 percent when tested at not less than 35% of its rated capacity.~~

~~(c) If any a utility can furnish evidence that the methods **method** outlined in Rule 10(B) and 10(C) are **subsection (b)** is not necessary, an alternate testing method may be used if submitted to and approved by the Engineering Department of the commission **through the commission's thirty (30) day administrative filing procedure.**~~

~~(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 10; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 681; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)~~

SECTION 15. 170 IAC 6-1-11 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-11 Customer request for meter test; application to utility

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

~~Sec. 11. Meter Tests Upon Written Request by Customer to Utility. (a) Each water utility supplying water service shall make a test of the accuracy of registration of a meter upon written request by a customer. A second test of the customer's meter may be requested after twelve (12) months. **The first and second tests of a customer's meter shall be at no cost to the customer.**~~

~~(b) The customer may be required to bear the full reasonable cost of any subsequent test~~

of his or her meter if requested at less than the:

(1) meter was:

(A) tested within the prior thirty-six (36) months after the preceding test, if error of at the customer's request; and

(B) found to be in compliance with section 9 of this rule;

(2) test is made:

(A) at the customer's request; or

(B) due to a billing dispute; and

(3) meter is found to be in compliance with ~~Rule 9.~~ section 9 of this rule.

(c) If the utility requires payment from the customer under subsection (b), the utility shall disclose to the customer the cost of the test prior to the test being performed.

(d) A written report giving the results of such the tests shall be made to the customer within ten (10) days after the test is complete and a complete record of the same test shall be kept on file in the office of the utility.

(e) Any appeal, in regard to the results of the customer's meter test, shall be filed with the commission under ~~Rule 12~~ section 12 of this rule within five (5) days of the date of the report. *(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 11; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 682; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)*

SECTION 16. 170 IAC 6-1-12 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-1-12 Customer request for meter test; application to commission

Authority: IC 8-1-1-3; IC 8-1-2-4

Affected: IC 8-1-2-35

~~Sec. 12. Meter Tests Upon Application to the Commission.~~ (a) **Upon application of any customer to the commission, and at the discretion of the commission, a test will shall be made of a customer's meter by the utility or its contractor under the supervision of an employee of the commission. upon application to The commission by the customer and formal notice to shall promptly notify the utility by the Commission. The application for such a test shall be accompanied by a fee as set out below in paragraph (B). This fee paid by the customer shall be retained by the Commission; however, if the tests show the meter to be more than two per cent (2%) fast, the utility supplying the water service shall reimburse the customer the amount of such fee. of any application. No fee shall be payable by the customer for the test, except as may be charged under section 11(b) of this rule.**

(B) The amount of fee to be paid for a meter test made on application to the Commission shall be as follows:

Through 3/4" meter	\$ 8.00
1" meter through 2" meter	\$16.00
Above 2" meter	Actual cost of test

(C) (b) This rule section shall not interfere with the practice of a utility in its tests of water service meters except that, in the event upon receiving notice of a written application to the commission by a customer for a test, the utility shall not: knowingly

(1) remove; or

(2) interfere with; said or

(3) discard;

the meter until completion of the test without the prior written consent previously given in writing by of the customer, unless the removal of the meter is required in order to perform the requested test.

(Indiana Utility Regulatory Commission; No. 34805: Standards of Service For Water Utilities Rule 12; filed Nov 28, 1977, 3:00 p.m.: Rules and Regs. 1978, p. 682; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)

SECTION 17. 170 IAC 6-2-2 IS AMENDED TO READ AS FOLLOWS:

170 IAC 6-2-2 Classification of accounts for Classes A, B, and C water utilities; adoption by reference

Authority: IC 8-1-1-3; IC 8-1-2-10

Affected: IC 8-1-2-10; IC 8-1-2-46

Sec. 2. (a) The rules governing the classification of accounts for Class Classes A, B, and C water utilities operating within the state of Indiana shall be the 1996 edition of the Uniform System of Accounts as approved, prescribed, and promulgated by the National Association of Regulatory Utility Commissioners, at the 96th Annual Convention on November 26-29, 1984, are adopted, which:

(1) are hereby incorporated into this rule by reference; and

(2) do not include any later amendments or editions.

(b) Copies of the 1996 edition of the Uniform System of Accounts prescribed for Class Classes A, B, and C water utilities, as approved, prescribed, and promulgated by the National Association of Regulatory Utility Commissioners as set out at the 96th Annual Convention on November 26-29, 1984, are available for purchase from the National Association of Regulatory Commissioners, Post Office Box 684, Room 1102, Interstate Commerce Commission Building 1101 Vermont Avenue NW, Suite 200, Washington, D.C. 20044 20005.

(Indiana Utility Regulatory Commission; 170 IAC 6-2-2; filed Feb 15, 1990, 4:30 p.m.: 13 IR 1136; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA)