30-day Filing ID # 3213



Citizens Gas | Citizens Thermal | Citizens Resources 2020 II. Meridian St. | Indianapolis, III | 46202-1393 www.citizensenergygroup.com

Jill A. Phillips Manager, Rates & Regulatory Affairs Office/Fax: (317) 927-4427 jphillips@citizensenergygroup.com

December 19, 2013

Brenda A. Howe Secretary of the Commission Indiana Utility Regulatory Commission 101 West Washington St., Suite 1500 E Indianapolis, IN 46204

Re: Thirty – Day Filing for Citizens Pursuant to 170 IAC 1-6

Dear Ms. Howe:

Pursuant to 170 IAC 1-6-3(3), the Board of Directors for Utilities of the Department of Public Utilities for the City of Indianapolis d/b/a Citizens Energy Group and CWA Authority Inc. (collectively "Citizens") respectfully submit for the approval of the Indiana Utility Regulatory Commission ("Commission") certain proposed changes to the respective terms and conditions for service (collectively "Terms and Conditions for Service") for the gas, water, and wastewater utilities owned and operated by Citizens.

Citizens is proposing modifications to certain tariff sheets in its' Terms and Conditions for Service applicable to gas, water, and sewage disposal service customers, as described within the Terms and Conditions for Service. In general, the changes to the Terms and Conditions for Service include: (1) changes to enhance consistency for gas, water, and sewage disposal service for application of payments; and (2) renumbering of certain sections in light of the proposed payment application-related changes.

On October 1, 2012, Citizens implemented its combined billing initiative to enhance service and convenience for customers by providing them with monthly meter readings, a single bill, one call center point of contact and consistent payment method options for gas, water and sewage disposal service. Currently, Citizens' Terms and Conditions for Service provide for Citizens to prorate combined bill payments based upon billed charges for applicable active utility services and apply payments first to the oldest outstanding charges and then to current charges pertaining to utility services. Payments are then applied to charges for non-utility services last. In order to address customer service payment application issues, the proposed changes will allow for the application of combined bill payments for all Utility and non-Utility services to be applied first to the oldest outstanding charges and then to current charges.

Enclosed for review and approval by the Commission, please find the following:

- Tab 1 Proposed tariff changes to Terms and Conditions for Gas Service (redline and clean)
- Tab 2 Proposed tariff changes to Terms and Conditions for Water Service (redline and clean)

Received by IURC 12/19/2013



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 Tab 3 – Proposed tariff changes to Terms and Conditions for Sewage Disposal Service (redline and clean)

Citizens affirms that a notice regarding the filing in the form attached hereto as Exhibit A was published on December 18, 2013 in the Indianapolis Star, a newspaper of general circulation in the Indianapolis area, where the largest number of Citizens customers are located. Citizens also affirms that this notice has been posted on the Citizens website and in its customer service lobby.

Upon approval of the enclosed tariff modifications to the Terms and Conditions for Service, please return one (1) approved stamped copy of each to Jamie Burks for our files. Any questions concerning this submission should be directed to:

> Jill A. Phillips Manager, Rates & Regulatory Affairs 2020 N. Meridian Street Indianapolis, In

Email: jphillips@citizensenergygroup.com Phone/Fax: 317-927-4427

Sincerely.

Manager, Rate & Regulatory Affairs

Enclosures

cc: Office of the Utility Consumer Counselor

EXHIBIT A

LEGAL NOTICE

PUBLIC NOTICE is hereby given that on or about December 18, 2013, the Department of Public Utilities for the City of Indianapolis, acting by and through the Board of Directors for Utilities, as trustee, in furtherance of a public charitable trust for the gas and water systems d/b/a Citizens Energy Group and CWA Authority Inc., as owner of the sewer system, (collectively "Citizens") intends to file with the Indiana Utility Regulatory Commission ("Commission") certain proposed changes to their respective Terms and Conditions for gas, water, and sewage disposal service (collectively "Terms and Conditions for Service") as approved by the Commission.

Citizens is proposing modifications to language in the Terms and Conditions to allow for the application of combined bill payments for all Utility and non-Utility services to be applied first to the oldest outstanding charges and then to current charges.

The proposed changes to Citizens' Terms and Conditions for Service will be eligible for approval by the Commission on or after January 20, 2014. This notice is provided to the public pursuant to 170 IAC 1-6-6. Contact information, to which an objection should be made, is as follows:

Secretary
Indiana Utility Regulatory Commission
PNC Center
101 West Washington Street
Suite 1500 East
Indianapolis, Indiana 46204

Telephone: (317) 232-2701 Facsimile: (317) 232-6758

Office of Utility Consumer Counselor PNC Center 115 West Washington Street Suite 1500 Indianapolis, Indiana 46204

Telephone: (317) 232-2494 Toll Free: (888) 441-2494 Facsimile: (317) 232-5923

Tab 1

CITIZENS GAS 2020 N. MERIDIAN STREET INDIANAPOLIS, INDIANA 46202

FIRST SECOND REVISED PAGE NO. 18 SUPERSEDING ORIGINALFIRST REVISED PAGE NO. 18

4.2.2 The Automatic Bank Deduction Plan shall be a payment plan whereby the Combined Bill amount is deducted each month from the End-Use Customer's checking account by the End-Use Customer's authorized financial institution. The Utility shall continue to provide to the End-Use Customer a monthly bill.

4.3 APPLICATION OF COMBINED BILL PAYMENT

- 4.3.1 The Utility shall prorate Combined Bill payments based upon billed charges for all applicable active Utility and non-Utility Services and apply payments first to the oldest outstanding charges for Utility Services and then to current charges pertaining to Utility Services where applicable. Payments will be applied to charges for non Utility Services last.
- 4.3.2 An End-Use Customer may direct Combined Bill payments by contacting the Utility prior to the due date. For all other payments the Utility is not obligated to direct payments.
- 4.3.3 Payments in excess of the charges for applicable active Utility Services will be applied to inactive Utility Service balances and prorated according to the balances of the inactive Utility Services.

4.4 CORRECTION OF ERRORS

When an error is discovered in any billing or when billing is omitted, the Utility may adjust such error to the known date of error, but in any event within not more than twelve (12) Months from the date of such billing. Whenever it is discovered a Meter is not recording within the limits of accuracy as prescribed by the I.U.R.C. Rules, an adjustment of the individual billings shall be made for a period of one-half of the time elapsed since the previous Meter test, or one year, whichever period is shorter.

4.5 ESTIMATED METER READINGS

When for good cause, pursuant to 170 IAC 5-1-13(C), a Meter is not read on a normal interval, an estimated Meter reading shall be used and so identified on the bill. An estimated Meter reading for an End-Use Customer's bill will be determined by adding the End-Use Customer's calculated Gas consumption during the billing period to the Meter reading at the beginning of the billing period.

4.6 DELINQUENCY AND RELATED CHARGES

If payment for a Utility Services bill from an End-Use Customer is not received by the Utility or its agent within seventeen (17) days from the date the bill is mailed, the bill shall be considered delinquent.

CITIZENS GAS 2020 N. MERIDIAN STREET INDIANAPOLIS, INDIANA 46202

SECOND REVISED PAGE NO. 18 SUPERSEDING FIRST REVISED PAGE NO. 18

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Tab 2

Citizens Water 2020 N. Meridian Street Indianapolis, Indiana 46202

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Combined Bill amount is deducted each month from the nonindustrial Customer's bank account by the nonindustrial Customer's authorized financial institution. The Utility shall continue to provide to the nonindustrial Customer a monthly bill.

- 3.2.6 The Utility may provide a budget plan for payment of Utility Services bills by the Customer whereby the annual bill as estimated by the Utility is divided into even monthly payments. The amount actually paid by the Customer shall be balanced with the amount actually billed to the Customer and any differences shall be paid by or credited to the customer.
- 3.2.7 A single charge may be made for providing a Customer with usage summary by Meter beyond the twenty-four (24) month period available online; such charge to the Customer shall be pursuant to the Usage Information Charge set forth on Appendix B.

3.3 Application of Combined Bill Payment

- 3.3.1 The Utility shall prorate Combined Bill payments based upon billed charges for <u>all</u> applicable active Utility and non-Utility Services and apply payments first to the oldest outstanding charges for Utility Services and then to current charges pertaining to Utility Services where applicable. Payments will be applied to charges for non-Utility Services last.
- 3.3.2 A Customer may direct Combined Bill payments by contacting the Utility prior to the due date. For all other payments, the Utility is not obligated to direct payments.
- 3.3.3 Payments in excess of the charges for applicable active Utility Services will be applied to inactive Utility Services balances and prorated according to the balances of the inactive Utility Services.
- 3.4 Adjustments Following Estimated Bills. Where the Utility has billed based on estimated consumption, the first charge after a Meter reading is obtained shall be adjusted by averaging consumption over the period from the last reading, or from the date service through the Meter was begun if the Meter had not been previously read, charging for each period in accordance with the Utility's Rate Schedules for the periods and allowing credit for the amount of estimated billings.
- 3.5 <u>Requested Meter Readings.</u> Upon request of a Customer, the Utility will make a special reading of the Customer's Meter at a time other than the time of a regularly scheduled reading for the charge prescribed in the Utility's Rate Schedules. The Utility, however, shall have no duty to issue a special bill based on such off-cycle reading.
- 3.6 Remote Meter Reading Service. Remote Meter reading service is available to Customers being served through ⁵/₈-inch, ³/₄-inch or 1-inch Meters which are installed indoors. This service allows the Utility to read Meters located inside a structure without entering the structure. A small, weatherproof totalizer will be mounted on the outside of the structure and connected by a cable to a register mounted on the Meter. The equipment to accomplish this service will be furnished, installed, maintained and replaced, if necessary, and owned by the Utility. A remote meter reading device is a fixture at the Premises where it is installed and will not be moved to another location without the Utility's written consent.

Whenever the Utility, during normal working hours (as set forth on www.citizenswater.com), is unable to read a Customer's Meter for twelve consecutive months, the Utility shall require installation of a remote meter reading device. Once a remote meter reading device is installed, it will remain in service until the Service Pipe to the

WATER TERMS AND CONDITIONS
I.U.R.C. CAUSE NO. 44163

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Tab 3

THIRD FOURTH REVISED PAGE NO. 20 SUPERSEDING SECOND THIRD REVISED PAGE NO. 20

9. BILLING AND PAYMENT OF BILLS

- 9.1 The Utility will issue bills to Customers on a Monthly basis for the applicable Utility Services. Bills are payable to the office of the Utility or to an authorized agent within seventeen (17) days from the date mailed. When the seventeenth (17th) day falls on Sunday or a legal holiday, the seventeen-day period shall be considered to end with the next business day.
 - 9.1.1 If payment for a Utility Services bill from a Customer is not received by the Utility or its agent within seventeen (17) days from the date the bill is mailed, the bill shall be considered delinquent.
 - 9.1.1.1 All charges follow the Customer and moving from one Premises to another in no way absolves the Customer from any unpaid charges incurred at a previous location. In the case of leased property, the landlord shall be responsible to the Utility for payment of the bill, even though the tenant may pay it.
 - **9.1.1.2** The Utility may add a late payment charge to a Customer's delinquent Utility Services bill as set forth in Appendix A.
 - 9.1.1.3 A single charge may be made for each visit to the Customer's Premises to collect or attempt to collect a delinquent account for applicable Utility Services; such charge to the Customer shall be pursuant to the Delinquent Account Collection Charge reflected in Appendix A.
 - 9.1.1.4 A single charge may be made for handling a single check or electronic payment (e.g., ABD) from a Customer for Utility Services returned unpaid by any financial institution; such charge shall be pursuant to the Returned Check Charge set forth in Appendix A.
 - 9.1.1.5 A single charge may be made for providing a Customer with usage summary by meter beyond the twenty-four (24) month period available online; such charge to the Customer shall be pursuant to the Usage Information Charge set forth in Appendix A.
 - 9.1.2 The Utility may provide an Automatic Bank Deduction Plan for Nonindustrial Customers, which will be a payment plan whereby the Combined Bill amount is deducted each month from the Nonindustrial Customer's checking account by the Nonindustrial Customer's authorized financial institution. The Utility shall continue to provide to the Nonindustrial Customer a Monthly bill.
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- 9.2 The Utility shall prorate Combined Bill payments based upon billed charges for <u>all</u> applicable active-Utility and non-Utility Services and apply payments first to the oldest outstanding charges for Utility Services and then to current charges pertaining to Utility Services where applicable. Payments will be applied to non-Utility Services last.

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- 9.3 A Customer may direct Combined Bill payments by contacting the Utility prior to the due date. For all other payments, the Utility is not obligated to direct payments.
- 9.4 Payments in excess of the charges for applicable active Utility Services will be applied to inactive Utility Service balances and prorated according to the balances of the inactive Utility Services.
- 9.45 The Utility shall measure usage and bill Nonindustrial Customers in the following manner:
 - **9.45.1** To the extent possible, bills to Nonindustrial Customers will be based on the Customer's metered water usage or estimated water usage in any given month as provided for in Section 9.5.2.
 - 9.45.2 In the event a Nonindustrial Customer is not served by a public water supply or water used is not completely metered, the Utility shall estimate the volume and strength of the waste and use such estimate for the purposes of billing rates and charges. The foregoing estimates shall be based upon analyses and volumes of a similar installation to the Nonindustrial Customer or the volume and analysis as determined by measurements and samples taken by the Utility or an estimate determined by the Utility or by any combination of the foregoing or other equitable method.
- 9.56 The Utility shall measure usage and bill Industrial Customers in the following manner:
 - 9.56.1 The Utility may require any Industrial Customer to construct at the Industrial Customer's own expense, facilities to allow inspection, sampling and flow measurement and may also require sampling or metering equipment to be provided, installed and operated at the Industrial Customer's expense.
 - To the extent the Utility does not require installation of metering equipment as 9.56.2 provided in the foregoing section, each Industrial Customer shall report to the Utility by the twenty-fifth (25th) day of the following Month on a form prescribed by the Utility an estimate of the volume discharged in the prior Month and a representative value of the strength of the waste including, but not limited to, BOD, SS and NH3-N, unless alternate reporting procedures are otherwise specified in writing by the Utility. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation consistent with 40 CFR Part 136 or by other methods generally accepted under established sanitary engineering practices and approved by the Utility. The reports submitted shall be subject to verification by the Utility but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste are not furnished to the Utility by the aforementioned time, the charges shall be based upon estimates made by the Utility, in the manner provided in Section 9.5.2.
 - 9.56.3 In the event that a self reporting Industrial Customer described in section 9.6.2 fails to submit the report required by Section 9.6.2 by the twenty-fifth (25th) day of the following Month, the Industrial Customer shall pay late reporting charges according to the schedule set forth in Appendix A.

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- 9.56.4 The Utility shall have the right to enter upon the land of any Industrial Customer and to set up such equipment as is necessary to certify the reports submitted. It shall be the duty of the Industrial Customer to provide all necessary clearance before entry and not to unnecessarily delay or hinder the Utility in carrying out the measuring and sampling. The right of entry shall exist during any time the Industrial Customer is operating or open for business.
- 9.56.5 In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the Utility, the Utility shall have the authority to use such other basis for determining such charges as shall be reliably indicative of volume and BOD, SS and NH3-N strengths of particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the Industrial Customer data and collected data from like industries.
- **9.56.6** The cost of all tests, measurements and analyses taken by the Utility pursuant to the above Sections or otherwise shall be charged to the Industrial Customer tested in an amount equal to the actual average cost of such test, measurement or analysis as determined at the close of each Year. These costs shall be due and payable as provided in Section 9.1.
- 9.67 The Utility may make adjustments to bills for Sewage Disposal Service as described below:
 - **9.67.1** If any meter, on which a Sewage Disposal Service bill is based, shall be found to have a percentage of error greater than two percent (2%), the following provisions for the adjustment of bills shall be observed:
 - 9.67.1.1 When a meter is found to have a positive average error, *i.e.*, is fast, in excess of two percent (2%), the Utility shall refund or credit the Customer's account with the amount in excess of that determined to be an average charge for one-half of the time elapsed since the previous meter test, or one (1) year, whichever period is shorter. This average charge shall be calculated on the basis of units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be fast. No part of a minimum service charge shall be refunded.
 - **9.67.1.2** When a meter is stopped or has a negative average error, *i.e.*, is slow, in excess of two percent (2%), the Utility will charge the Customer an amount estimated to be an average charge for one-half of the time elapsed since the previous meter test or one (1) year, whichever period is shorter. The average charge shall be calculated on the basis of units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be slow or stopped. Such action may be taken only in cases where the Utility is not at fault for allowing the stopped or slow meter to remain in service.

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- **9.67.1.3** In the event the Customer's service is interrupted for a reason other than the act of the Customer or the condition of Customer-controlled equipment, and the service remains interrupted for more than two (2) days after being reported or found to be out of order, appropriate adjustments or refunds may be made to the Customer.
- 9.67.2 When an error is discovered in any billing or when billing is omitted, the Utility may adjust such error to the known date of error, but in any event within not more than twelve (12) Months from the date of such billing.
- 9.67.3 Upon detecting a device or scheme which has been utilized to avoid or attempted to avoid full payment for Sewage Disposal Service, the Utility may, after estimating the volume waste:
 - 9.67.3.1 Immediately disconnect water or Sewage Disposal Service without notice pursuant to Rule 10.1.3.
 - 9.67.3.2 Bill and demand immediate payment from the person benefiting from such device or scheme the actual cost of the volume of waste, corrections and repairs, or two hundred dollars (\$200.00), whichever is more.
 - 9.67.3.3 Bill any and all damages as provided by Indiana Code 34-24-3-1 et seq. based upon the Utility's reasonable and customary estimate thereof.
- 9.67.4 Where a metered water supply is used for fire protection as well as for other uses, the Utility may, at its sole discretion, make adjustments in the Sewage Disposal Service charge as may be equitable. In such cases the burden of proof as to the type of water usage shall be upon the Customer. Where a metered water supply is used for fire protection only, the sewer user charge shall not apply.

10. DISCONTINUANCE OF SERVICE

- 10.1 Water and/or Sewage Disposal Service rendered under any application, contract, agreement or otherwise may be discontinued by the Utility without request by the Customer and without notice, and the Utility may remove any of its property from the Customer's Premises without legal process for any one of the following reasons:
 - 10.1.1 Where a condition dangerous or hazardous to life, physical safety, or property exists.
 - 10.1.2 Upon order by any Court, the Commission, or other duly authorized public authority, or upon written instruction by a law enforcement agency acting within its jurisdiction pursuant to Indiana Code 35-45-5-4(c).
 - 10.1.3 A fraudulent or unauthorized use of Sewage Disposal Service is detected and the Utility has reasonable grounds to believe the affected Customer is responsible for such use, including when the Utility has reasonable evidence that a Customer who is indebted to the Utility for Sewage Disposal Service at his present or other location is receiving Sewage Disposal Service under the same or a different name.

EFFECTIVE: October 2, 2013

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 - **9.1.1.2** The Utility may add a late payment charge to a Customer's delinquent Utility Services bill as set forth in Appendix A.
 - **9.1.1.3** A single charge may be made for each visit to the Customer's Premises to collect or attempt to collect a delinquent account for applicable Utility Services; such charge to the Customer shall be pursuant to the Delinquent Account Collection Charge reflected in Appendix A.
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- 9.3 A Customer may direct Combined Bill payments by contacting the Utility prior to the due date. For all other payments, the Utility is not obligated to direct payments.
- 9.4 The Utility shall measure usage and bill Nonindustrial Customers in the following manner:
 - 9.4.1 To the extent possible, bills to Nonindustrial Customers will be based on the Customer's metered water usage or estimated water usage in any given month as provided for in Section 9.5.2.
 - 9.4.2 In the event a Nonindustrial Customer is not served by a public water supply or water used is not completely metered, the Utility shall estimate the volume and strength of the waste and use such estimate for the purposes of billing rates and charges. The foregoing estimates shall be based upon analyses and volumes of a similar installation to the Nonindustrial Customer or the volume and analysis as determined by measurements and samples taken by the Utility or an estimate determined by the Utility or by any combination of the foregoing or other equitable method.
- 9.5 The Utility shall measure usage and bill Industrial Customers in the following manner:
 - 9.5.1 The Utility may require any Industrial Customer to construct at the Industrial Customer's own expense, facilities to allow inspection, sampling and flow measurement and may also require sampling or metering equipment to be provided, installed and operated at the Industrial Customer's expense.
 - 9.5.2 To the extent the Utility does not require installation of metering equipment as provided in the foregoing section, each Industrial Customer shall report to the Utility by the twenty-fifth (25th) day of the following Month on a form prescribed by the Utility an estimate of the volume discharged in the prior Month and a representative value of the strength of the waste including, but not limited to, BOD, SS and NH3-N, unless alternate reporting procedures are otherwise specified in writing by the Utility. All measurements, tests and analyses of the characteristics of such waste shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Sewage" as published jointly by the American Public Health Association and the Water Pollution Control Federation consistent with 40 CFR Part 136 or by other methods generally accepted under established sanitary engineering practices and approved by the Utility. The reports submitted shall be subject to verification by the Utility but may serve as the basis for billing with all necessary adjustments in the amounts to be made after verification. In the event an analysis and volume of the industrial waste are not furnished to the Utility by the aforementioned time, the charges shall be based upon estimates made by the Utility, in the manner provided in Section 9.5.2.
 - 9.5.3 In the event that a self reporting Industrial Customer described in section 9.6.2 fails to submit the report required by Section 9.6.2 by the twenty-fifth (25th) day of the following Month, the Industrial Customer shall pay late reporting charges according to the schedule set forth in Appendix A.

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- 9.5.4 The Utility shall have the right to enter upon the land of any Industrial Customer and to set up such equipment as is necessary to certify the reports submitted. It shall be the duty of the Industrial Customer to provide all necessary clearance before entry and not to unnecessarily delay or hinder the Utility in carrying out the measuring and sampling. The right of entry shall exist during any time the Industrial Customer is operating or open for business.
- 9.5.5 In cases where measurements are difficult to make, or the industrial waste composition changes frequently, or representative samples are difficult to get, or where other methods of measurement are necessitated for other sound engineering reasons as determined by the Utility, the Utility shall have the authority to use such other basis for determining such charges as shall be reliably indicative of volume and BOD, SS and NH3-N strengths of particular industrial waste, such as, but not limited to, water purchase or usage, character of products, comparisons between the Industrial Customer data and collected data from like industries.
- 9.5.6 The cost of all tests, measurements and analyses taken by the Utility pursuant to the above Sections or otherwise shall be charged to the Industrial Customer tested in an amount equal to the actual average cost of such test, measurement or analysis as determined at the close of each Year. These costs shall be due and payable as provided in Section 9.1.
- 9.6 The Utility may make adjustments to bills for Sewage Disposal Service as described below:
 - 9.6.1 If any meter, on which a Sewage Disposal Service bill is based, shall be found to have a percentage of error greater than two percent (2%), the following provisions for the adjustment of bills shall be observed:
 - 9.6.1.1 When a meter is found to have a positive average error, i.e., is fast, in excess of two percent (2%), the Utility shall refund or credit the Customer's account with the amount in excess of that determined to be an average charge for one-half of the time elapsed since the previous meter test, or one (1) year, whichever period is shorter. This average charge shall be calculated on the basis of units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be fast. No part of a minimum service charge shall be refunded.
 - 9.6.1.2 When a meter is stopped or has a negative average error, *i.e.*, is slow, in excess of two percent (2%), the Utility will charge the Customer an amount estimated to be an average charge for one-half of the time elapsed since the previous meter test or one (1) year, whichever period is shorter. The average charge shall be calculated on the basis of units registered on the meter over corresponding periods either prior or subsequent to the period for which the meter is determined to be slow or stopped. Such action may be taken only in cases where the Utility is not at fault for allowing the stopped or slow meter to remain in service.

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- **9.6.1.3** In the event the Customer's service is interrupted for a reason other than the act of the Customer or the condition of Customer-controlled equipment, and the service remains interrupted for more than two (2) days after being reported or found to be out of order, appropriate adjustments or refunds may be made to the Customer.
- 9.6.2 When an error is discovered in any billing or when billing is omitted, the Utility may adjust such error to the known date of error, but in any event within not more than twelve (12) Months from the date of such billing.
- 9.6.3 Upon detecting a device or scheme which has been utilized to avoid or attempted to avoid full payment for Sewage Disposal Service, the Utility may, after estimating the volume waste:
 - **9.6.3.1** Immediately disconnect water or Sewage Disposal Service without notice pursuant to Rule 10.1.3.
 - **9.6.3.2** Bill and demand immediate payment from the person benefiting from such device or scheme the actual cost of the volume of waste, corrections and repairs, or two hundred dollars (\$200.00), whichever is more.
 - **9.6.3.3** Bill any and all damages as provided by Indiana Code 34-24-3-1 et seq. based upon the Utility's reasonable and customary estimate thereof.
- 9.6.4 Where a metered water supply is used for fire protection as well as for other uses, the Utility may, at its sole discretion, make adjustments in the Sewage Disposal Service charge as may be equitable. In such cases the burden of proof as to the type of water usage shall be upon the Customer. Where a metered water supply is used for fire protection only, the sewer user charge shall not apply.

10. DISCONTINUANCE OF SERVICE

- 10.1 Water and/or Sewage Disposal Service rendered under any application, contract, agreement or otherwise may be discontinued by the Utility without request by the Customer and without notice, and the Utility may remove any of its property from the Customer's Premises without legal process for any one of the following reasons:
 - 10.1.1 Where a condition dangerous or hazardous to life, physical safety, or property exists.
 - 10.1.2 Upon order by any Court, the Commission, or other duly authorized public authority, or upon written instruction by a law enforcement agency acting within its jurisdiction pursuant to Indiana Code 35-45-5-4(c).
 - 10.1.3 A fraudulent or unauthorized use of Sewage Disposal Service is detected and the Utility has reasonable grounds to believe the affected Customer is responsible for such use, including when the Utility has reasonable evidence that a Customer who is indebted to the Utility for Sewage Disposal Service at his present or other location is receiving Sewage Disposal Service under the same or a different name.