

RIGHTS AND RESPONSIBILITIES OF CUSTOMERS OF BARGERSVILLE UTILITIES

1. INTRODUCTION.

This pamphlet explains your rights and responsibilities as a customer of Bargersville Utilities (Utility). It is provided to all new Utility customers. We hope you find it helpful. It is suggested that you keep it readily available for future reference. If you have any questions or need additional information regarding our services, please contact the Utility.

2. APPLICATION FOR SERVICE.

Each applicant for electric, water, sewer and/or storm water service will be required to sign a form provided by the Utility, requesting information regarding the service to be provided. The application shall be considered an agreement to abide by all ordinances, rules, regulations and conditions applying to electric, water, sewer and/or storm water service with every person, firm, organization, corporation or other entities who is supplied with utility service from the Town of Bargersville; and every applicant is considered to have consented to be bound thereby. We require two forms of identification from all individuals applying for our service. Forms of identification required for service are the customer(s), social security number and driver's license or other form of government issued identification. Individuals applying for service who are renters must also provide a copy of a lease agreement to verify individuals responsible for service. The customer shall notify the utility at least three (3) business days in advance of the day service is desired.

The owner of vacant rental property shall fill out a renter's agreement that states whether he/she wants the services left on in his/her name and will be charged all fees including usage until the next tenant moves in, or, to have the service turned off and not be charged.

3. DEPOSITS.

There are hereby imposed meter deposits on all individuals applying for electric and water utility service with the Town as follows: Electric deposit \$100.00 and Water Deposit \$70.00. Commercial users shall make deposits based on the average of (3) previous month's use for customers operating the same or similar business. Call the main office for the amount of deposits. When utility service to a customer who has paid a meter deposit is terminated by reason of the customer moving his /her residence, the meter deposit shall be applied to any unpaid utility bills of any nature owed by the customer to the

Utility to the date of termination of service (read-out date), and the balance of the meter deposits thereafter remaining, if any shall be refunded to the customer within one year from the termination date. However, to receive a refund, the customer is responsible for supplying the Utility with a forwarding address. The Utility shall require the identification of the person paying deposit receipt. In case the customer lost the deposit receipt, the Utility will require customer to sign a release acknowledging return of the deposit.

4. CUSTOMER BILLING.

Each customer will be sent a bill for utility services each month. It will be based on the number of K.W.H. and/or gallons that register through your meter during the billing month which consists of approximately thirty days. The storm water is a flat rate fee. The bill will be mailed on the last business day of each month and will be due on the 15th of the next month. If the due date falls on a weekend or holiday, bills are due the next business day after the 15th. After that day, a penalty is added to your bill. If your bill does not arrive within a reasonable time from when you normally receive it, please call our office and let us know.

Copies of the Utility's schedules of rates and general rules and regulations of service are available for inspection upon request at our main office and available on our website at www.townofbargersville.org.

5. ESTIMATED BILLS.

Although efforts are made to read customers' meters each month, readings are missed some months because of inclement weather, locked doors, gates, and other circumstances.

In order to send customers a bill each month when a meter reading is missed, a bill is issued based on an estimated amount of K.W.H. and/or gallons used during that billing period. Bills based on an estimate are clearly marked with an "Upper cased_E" which stands for "Estimated". If the actual usage is higher or lower than the amount shown on an estimated bill, the difference will be reflected on the first bill after an actual reading is obtained.

6. DISCONNECTION OF SERVICE.

At customer's request:

If you want your service disconnected, you should notify the Utility at least three (3) business days in advance. We will disconnect your service within three working days of the requested date. You are responsible for all service used and payment for service until the meters have been disconnected; except that, you

will not be responsible for any service used after three (3) business days from the requested disconnection date.

I. We may disconnect your service without giving advance notice and/or without any request by you under the following conditions:

A. If a condition dangerous or hazardous to life, physical safety or property exists.

B. Upon order by any court or other duly authorized public authority.

II. We may disconnect your service after giving advance notice under the following conditions:

A. If fraudulent or unauthorized use of service is detected, and the Utility has reasonable grounds to believe the affected customer is responsible for such use.

B. If the Utility's regulating or measuring equipment has been tampered with and the Utility has reasonable grounds to believe that the affected customer is responsible for such tampering.

C. For nonpayment of a bill or for violation of any ordinance, rule, regulation or condition of service after giving advance notice in writing.

D. Any customer operating equipment, apparatus, etc. that is found to be causing utility service interference will be required to discontinue the use of such equipment to eliminate the utility service interference. Failure or refusal to comply with the above shall be sufficient cause to discontinue service. In such case, the service shall not be reconnected until the Utility is assured that the Utility service interference creating device(s) has (have) been corrected or eliminated.

E. Medical Notice. The Utility shall postpone the disconnection of service for ten (10) days if, before the disconnection date specified in the disconnection notice, the customer provides the Utility with a medical statement from a licensed physician or public health official which states that disconnection would be a serious and immediate threat to the health or safety of a designated person in the household of the customer. The postponement of disconnection shall be continued for one additional ten (10) day period upon the provision of an additional medical statement.

F. Before utility service is disconnected for non-payment or insufficient payment, a past due notice will be included on the customer's bill with the date on which disconnection will occur. The notice will show the total amount due for the current month and the past due amount. Past due fees are due on the AVOID DISCONNECT date stated on the bill mailed to the customer. Current

monthly charges are due on the date stated on the bill mailed to the customer. Your past due bill amount is due by 3:30 pm on the AVOID DISCONNECT date.

Before utility service is disconnected a second past-due notice with the AVOID DISCONNECT date will be mailed to the customer. The notice will also include information about filing a written request for a disconnect protest hearing. Hearing request forms can be found online and at the Bargersville Utilities Office. The notice will include the address where Hearing Request Forms must be submitted in writing. No oral requests for a hearing will be accepted. The customer must request a hearing within five (5) business days before the AVOID DISCONNECT date. There will be a fifty dollar (\$50.00) administration fee charged to cover processing of the delinquent accounts when the second past-due notice is mailed to the customer.

The customer will have the opportunity to present his/her case and to challenge the disconnection before a Protest Hearing Officer. Three (3) Protest Hearing Officers shall be designated by the Town Council from time to time and they may be designated by position or name. A requested hearing shall be heard by any one or more of the Protest Hearing Officers. If the past due amount is not paid by the AVOID DISCONNECT date and no request for a hearing has been made, shut offs will start occurring immediately.

III. Disconnect of Customers Receiving Assistance under IC 4-4-33. Notwithstanding any other provision of law, from December 1 through March 15 of each year, no electric or gas utility shall be disconnected for customers who are eligible for and who have applied for assistance from a heating assistance program administered under IC 4-4-33.

The customer must furnish the Utility with proof of application to avoid disconnect or to be eligible to enter into an amortization agreement with the Utility. Such amortization agreement will be in writing and will provide the customer with an opportunity to apply and receive benefits under any available public assistance program. The utility may charge a reasonable rate of interest on the unpaid balance of a customer's delinquent bill. The interest rate shall not exceed the rate established by the commission established under IC 8-1-2-34.5.

This section shall not preclude the utility from disconnecting an electric or gas utility for the reasons as outlined in (I)(A) and (B) and (II)(A) and (B) of this section.

IV. Utility representatives who are sent to disconnect service will make a reasonable attempt to identify themselves and tell a responsible person at the place receiving service that the service is being disconnected. Our

representative will have enough information to give the reason for disconnection and the amount of any delinquent bill, and also ask for any available proof that the delinquent bill has been paid or is currently in dispute. If proof of either of the above is presented, service will not be disconnected. The Utility representative sent to disconnect service is not authorized to accept payment of a bill in order to prevent the service from being disconnected.

If the service is disconnected and the customer is not at the place of service, our representative will leave in a conspicuous place on the premises a notice that service has been disconnected giving the location and telephone number of the office to have service restored.

We will only disconnect service for nonpayment of bills during our normal business hours. Also, we will not disconnect service for nonpayment after 12 noon of the day immediately preceding any day when our office will be closed.

7. RECONNECTION OF SERVICE.

If utility service has been disconnected for nonpayment, the following will be required before service is reconnected:

- A. Payment of all bills owed (arrears and current), and
- B. Payment of any required deposit, and
- C. Payment of Administration fee and any other charges (including bad check charges, if applicable).

We will restore service within one business day after all requirements for the reconnection of services are met. Reconnection will be done only during office hours, and there will be no after-hours reconnection.

8. NONSUFFICIENT FUNDS CHECKS/AUTO DRAFTS.

For each check and/or auto draft returned by any bank due to nonsufficient funds, the customer will be charged a fee to cover the costs of processing the check and /or auto draft. After receiving two nonsufficient checks and/or auto draft in a period of six months, cash or money orders shall be used to pay the bill until customer's credit is established.

9. COMPLAINTS.

A customer may register a complaint and request a conference about any matter pertaining to any utility service, including a deposit, disconnect notice, or bill before it becomes delinquent. The complaint must be made in writing and submitted at the main office. For complaints/challenges for disconnection of service the appropriate process for appealing outlined in Section 6 Disconnection of Service must be followed.

We will investigate your complaint, and notify you in writing of our proposed disposition of the matter. No service will be disconnected for at least ten (10) days after the Utility mails this notice of disposition.

10. ELECTRIC AND WATER SERVICE SPECIFICATIONS.

All specifications on electric and water services for the Utility customers are available at the main office located at 24 Main Street, Bargersville, Indiana 46106. These specifications are also available on the Utility's website: www.townofbargersville.org.

Any relocation of Utility-owned facilities, including the meters on your premises or elsewhere for your convenience will be at your expense.

11. CUSTOMER OWNED FACILITIES.

The customer (and not the Utility) is the owner of part of the facilities used to supply utility services. For example, the customer owns the electric facilities between the meter base and the house or business, the water facilities between the outside of the meter pit and the house or business, and the sanitary sewer facilities between connection point of the main and the house or business. The Utility is not responsible for the inspection, maintenance and/or repair of customer owned facilities.

NOTICE

The Bargersville Water Company with the approval of the Indiana State Board of Health is now installing check valves on all water services.

This is to prevent backflows due to high water temperature that some new appliances require. The water pressure caused by high temperature when the water is heated results in the pressure release valve operating. If the pressure relief valve does not operate properly, the water pressure could raise to a level that might cause damage to some appliances.

To alleviate this problem the Water Company recommends that all water heaters have an expansion tank installed on them.

The Water Company also recommends the use of a pressure reducing valve where the pressure exceeds 80 P.S.I. Pressure reducing valves can be supplied at the owner's request per the appropriate sections of the Bargersville Code of Ordinances.

Management