



### NOTICE OF PUBLIC HEARING/SECOND READING

#### Rules 1, 2, 3, 4, 5 and 7 and Water Rate Adjustment

Notice is hereby given that a Public Hearing will be conducted on adoption of amendments to the Truckee Meadows Water Authority Rules 1, 2, 3, 4, 5 and 7 and Water Rate Adjustments during the Truckee Meadows Water Authority Board meeting at 6 p.m. Wednesday, January 18, 2012 at the Sparks Council Chambers, 745 Fourth St., Sparks, Nevada. The proposed amendments will be heard on a second reading and may be adopted at the meeting.

Proposed revisions to Rules 1, 2, 3, 4, 5 and 7 seek to clarify the language of the rules, to make content relevant to today's operating environment, and to implement applicable cost recovery mechanisms and other matters as set forth in the proposed amendments.

Despite overall reduction in operating costs of over \$7.3 million (18%) in the past 2 years, TMWA will experience escalating costs of operations, particularly electrical pumping costs, declining investment income due to declining cash balances and lower rates of return on maturing investments stemming from the recession, local downward trends in customer usage patterns, and minimal-to-no expected growth in new services in the near future. The rate adjustments are needed to reduce the difference between TMWA's operating and maintenance expenses and declining revenues. Proposed adjustment in rates is planned for implementation the first billing cycle in February 2012.

This Notice of Public Hearing is posted at the following locations: Truckee Meadows Water Authority (1355 Capital Blvd., Reno), Reno City Hall (1 E. First St., Reno), Sparks City Hall (431 Prater Way, Sparks), Sparks Justice Court (630 Greenbrae Dr., Sparks), Washoe County Clerk's Office/Courthouse (75 Court St., Reno), Washoe County Central Library (301 South Center St., Reno), Washoe County Administration (1001 East Ninth St., Reno) and at [www.tmwa.com](http://www.tmwa.com).

Copies of the proposed rate adjustments and information related to the proposed rate adjustments are available for inspection at the Truckee Meadows Water Authority office (1355 Capital Blvd.) or online under Latest News at [www.tmwa.com](http://www.tmwa.com). Public comments can also be submitted online. If you have additional questions, contact us at 834-8080, option 2.

Mark Foree  
General Manager

## Truckee Meadows Water Authority

### RULE 1

#### DEFINITIONS

Gallon	The volume of water which occupies 231 cubic inches.
GPM	Gallons per minute.
House Piping	All piping and fittings installed within the structure up to and including the last fitting inside or outside the walls of the structure.
Industrial Service	See Service Classification.
Irrigation Service	See Service Classification.
Law	A rule, or rules established and enforced by Federal, State, or Local Government.
Local Government	Means a city or county.
Maximum Day Demand	Average rate of flow of water needed for the highest one-day use of water for the year as determined by the Authority.
Maximum Day Demand Plus Fire Demand	Demand resulting from fire flow simultaneously occurring with Maximum Day Demand.
Meter	Any device owned by the Authority that is used for the purpose of measuring the quantity of water delivered.
Meter Facilities	Authority-owned materials including the pipe, setter, fittings, concrete box or vault, lids, and valves necessary to house a Meter.
Metered Service	Service for which charges are computed on the basis of measured quantities of water.
Minimum Charge	The minimum amount, as specified by applicable Rate Schedule, that Customer shall pay for delivery of water.
Modified Service	A change in or alteration to (1) the quantity of water delivered to a Service Property, (2) the capacity to deliver water to a Service Property, or (3) Service and Meter Facilities or Fire Facilities used to deliver water to a Service Property <u>resulting from construction of a work of improvement on the Service Property.</u>
NAC	Nevada Administrative Code.
NRS	Nevada Revised Statutes.

| Added: 03/23/01 Amended: 11/01/02; 06/18/03; 10/01/03; 05/21/09; 01/19/12

## Truckee Meadows Water Authority

### RULE 1

#### DEFINITIONS

Non- Potable	Water that is unfit to drink.
Non-Potable Service	See Service Classification.
Peak Hour Demand	Average amount of water needed during the highest one-hour period occurring during the Maximum Day Demand as determined by the Authority.
<u>Off-Peak Period</u>	<u>The period October 1 through May 31.</u>
<u>On-Peak Period</u>	<u>The period June 1 through September 30.</u>
Permanent Service	Service which is of a permanent and established character. The use of water may be continuous, intermittent, or seasonal in nature.
Person	Any individual, business entity, governmental agency, or other organization.
Potable	Water that is fit to drink, as recognized by Federal, State, and local applicable regulatory bodies.
Premise(s)	The physical location of the Service Connection and its associated street address used for billing purposes.
PSI ("psi")	The gage pressure in pounds per square inch of the water in the Authority's main or Service Pipe as measured by a calibrated pressure gage acceptable to the Authority. Gage pressure is the pressure of the water in excess of the prevailing atmospheric pressure and is sometimes referred to as "psig".
Private Fire Protection Service	See Service Classification.
Public Fire Protection Service	See Service Classification.
Rate Schedule(s)	Description of all effective rates, charges, and fees collectively of the Authority.
Reclaimed Water	Water which has undergone treatment at a sewer treatment plant to the satisfaction of Federal, State and local applicable regulatory bodies and can be used for Non-Potable applications.

Added: 03/23/01 Amended: 11/01/02; 06/18/03; 10/01/03; 05/21/09; 01/19/12

## Truckee Meadows Water Authority

### RULE 1

#### DEFINITIONS

Unmetered Service	Service installed at Service Property without a Meter.
Unsatisfactory Credit	Any history of payment that does not meet the Satisfactory Credit requirements as set forth by the Authority.
Will-Serve Commitment	A letter from the Authority addressed to the appropriate governing agency which states that Authority has sufficient water resources to provide the requested delivery of water pursuant to the Authority's Rules and Rate Schedules and that the project to be served is located within Authority's approved retail or Wholesale Service boundaries.
<u>Winter Usage</u>	<u>The water delivered by the Authority to a Premise as measured by the Meter for the Billing Periods of December, January, February, and March.</u>
Yard Pipe (or Line)	All piping between the House Piping and the Service Connection.

| Added: 03/01/08 Amended: 01/19/2012

## Truckee Meadows Water Authority

### RULE 2

#### GENERAL CONDITIONS FOR THE DELIVERY OF WATER

3. Customer shall be solely responsible for the transmission and delivery of water over or through Customer's pipes, Meter(s), and equipment, regardless of the place where such may be metered. Authority shall have no responsibility for any loss or damage to Customer's receiving facilities.

#### **E. Water Waste Enforcement**

1. Water Waste. As a condition of service, Customers of the Authority must use water delivered through the Authority's system in a manner that promotes efficiency and avoids waste. All Customers of the Authority are required to comply with all applicable water efficiency codes. It is a violation of the Authority's Rules for any Customer to waste water as defined in this Rule. For the purposes of this Rule, the use, consumption or expenditure of water under any of the following conditions shall constitute the waste of water within the meaning of this Rule.
  - a. Wasting of water refers to any act of a Customer involving the Excessive use, application, or expenditure of water supplied.
  - b. Use of water through any Service or Meter Facility when the Customer or his agent responsible for the use of such water has been given notice consistent with Rule 3 to repair one or more leaks in any piping system or any plumbing fixture connected directly or indirectly to such Service and Meter Facility and such Customer or his agent or representative has failed to complete such repairs.
  - c. The washing of automobiles, trucks, trailers or any other type of mobile equipment, except: (1) in washing facilities operating with a water recycling system or using a non-potable water source, (2) where required by health and sanitary regulations, or (3) in conjunction with a hose to which a self-closing nozzle is attached.
  - d. The Irrigation of lawns ~~at any time, except~~ as follows:
    - (1) Premises with even addresses – Tuesday, Thursday and Saturday.
    - (2) Premises with odd addresses – Wednesday, Friday, and Sunday.
    - (3) ~~After Labor Day holiday weekend through Memorial Day holiday weekend – any time of day.~~
    - (4) After the Memorial Day holiday weekend through the Labor Day holiday weekend ~~– any time of day except~~, between the hours of 12:00 p.m. and 6:00 p.m.
    - (5) Nothing contained in this Rule shall prohibit:
      - (a) The Hand Watering of vegetable or flower gardens, lawns, trees and shrubs in a non-wasteful manner.
      - (b) The watering of newly seeded lawns or sod, lawns in public parks, playgrounds, athletic fields, common areas, and parkways on any day and at any time of day if done in a non-wasteful manner, subject to a variance granted annually by the Authority.

Added: 10/01/03 Amended: 03/17/04; 01/20/10; 01/19/12

## Truckee Meadows Water Authority

### RULE 3

#### APPLICATION FOR, AND DISCONTINUANCE, TERMINATION, AND RESTORATION OF THE DELIVERY OF WATER

#### **B. Establishment of Credit**

The Authority ~~shall~~ may require a Customer to establish credit before it delivers water. Credit may be established by a Customer by any one of the following:

1. Having been a Customer of the Authority within the two (2) years preceding the date of application for the delivery of water for a similar Service Classification and having established Satisfactory Credit.
2. Having been a Customer of another utility within the two (2) years preceding the date of application for the delivery of water, and having made Timely Payment of each bill issued to him during any consecutive twelve (12) months within the two (2) years preceding the date of application for the delivery of water.
3. Receiving benefits from a retirement plan or the Social Security Administration provided the Customer is a residential Customer and maintains Satisfactory Credit.
4. Submitting payment of a cash Deposit to ensure the payment of a bill issued to him for delivery of water.

a. The cash Deposit for each service required by the Authority shall be the greater of \$100.00 or the amount calculated based on one of the following three conditions, ~~but in no event shall the cash Deposit be less than \$100.00.;~~

(1) Customer Establishing Credit at a Residential Premise:

- (a) 150% of the previous twelve (12) months average use for the delivery of water multiplied by the applicable rate; or
- (b) If the Premise does not have twelve (12) months usage history, 150% of the twelve (12) months average use for a comparable Service Classification multiplied by the applicable rate will be used to calculate the Deposit.

(2) Customer Establishing Credit at a Non-Residential Premise:

- (a) 200% of the previous twelve (12) months average use for the delivery of water multiplied by the applicable rate; or
- (b) If the Premise does not have twelve (12) months usage history, 200% of the twelve (12) months average use for a comparable Service Classification multiplied by the applicable rate will be used to calculate the Deposit.

Added: 10/01/03 Amended: 03/01/08; 05/21/09; 01/19/12

## Truckee Meadows Water Authority

### RULE 4

#### PAYMENT FOR THE DELIVERY OF WATER

3. Proration of Bills. The monthly charges applicable to opening periods, closing bills, and bills rendered for periods corresponding to less than twenty seven (27) Days or more than thirty three (33) Days for monthly Billing Periods will be computed as follows: The amount of the charge will be prorated on the basis of the ratio of the number of Days in the period to thirty (30) Days -- the average Billing Period. Charges based on the measured quantity of usage shall then be added to such prorated amounts.

#### **B. Payment of Bills**

Payment of bills for delivery of water may be made to the Authority by any one of the following methods:

- a. Depositing payment with the U.S. Postal Service for delivery to the Authority by first class mail.
- b. Making payment at the business office of the Authority.
- c. Making payment to any agent authorized by the Authority to accept payment.
- d. Making payment directly from a bank account via the Authority's electronic funds transfer program.

#### **C. Credit for Over Payment of Bills**

Any credit balance resulting from a Customer's over payment of a bill may be applied by the Authority to the Customer's bill(s) for subsequent month(s). Any credit balance which remains on the Customer's account following the discontinuance or termination of the delivery of water will be refunded to the Customer.

#### **DC. Due Date**

A bill for delivery of water is due and payable beginning on its date of issuance. Each bill is deemed issued by the Authority once the total charges due for a Billing Period are posted to the Customer's account(s). Bills will be delivered to Customers by first class mail or by electronic notification of the bill via the Internet. All bills must be paid within fifteen (15) Days of their issuance, and any bill not paid by such date will be deemed past due. Payment of a bill is timely if the payment is received not more than four (4) Days after the past due date.

1. If payment in full has not been received on any outstanding balances and all notices have been issued pursuant to Rule 3, the Customer's Service(s) is eligible for Termination of Delivery of Water pursuant to Rule 3.

| Added: 03/23/01 Amended: 05/15/03; 10/01/03; 03/01/05; 01/19/12

## Truckee Meadows Water Authority

### RULE 5

#### WATER SYSTEM FACILITIES

#### **B. Responsibilities and Requirements for Installation of Water System Facilities**

##### 1. Application and Processing.

- a. Applicant shall apply for new Service or Modified Service by submitting a complete Application with the Authority. An Application shall be deemed complete if the Authority determines it includes sufficient information to allow Authority to perform system planning and develop preliminary facility plans, prepare sketches, and estimates of Applicant's costs to be advanced to Authority for Authority's business services.
- b. The Application must be accompanied by appropriate, ~~non-refundable~~ fees for business services as provided in Rate Schedule BSF. All Rate Schedule BSF fees paid at the time of Application are non-refundable, except as otherwise provided in Section B.6.c of this Rule 5.
- c. The Authority shall determine, in its sole discretion, whether any changes to a project or Application after submission of a completed Application (changes may include but are not limited to type of development, number of units or parcels, change in size of units or parcels, change in grading, change in street layout, fire flow required, or estimated demand(s)) changes the estimated demands of the project or requires submission of a New Application.
- d. An Application shall automatically be deemed canceled and rejected, and shall be null and void without further notice from the Authority:
  - i. on the date the Applicant notifies the Authority the project is canceled;
  - ii. on the date approval for the project by the applicable governing body expires or is terminated; or
  - iii. if a Water Service Agreement has not been executed by Applicant and Authority within twelve (12) months of the date the completed Application was first received by Authority.
- e. The Authority, in its sole discretion, may approve an extension of time for a pending application beyond its scheduled cancellation date under the following conditions:
  - i. the Applicant requests the extension of time in writing no later than 30 days prior to the pending cancellation date;
  - ii. there are no changes planned, proposed, or subsequently made to the project; and
  - iii. the Water Service Agreement for the project is subject to different terms, conditions, fees, and/or facility charges than those offered in a prior Water Service Agreement for the project.

Added: 03/23/01 Amended: 10/01/03; 03/01/05; 03/01/08; 05/21/09; 05/21/10; 01/19/12

## Truckee Meadows Water Authority

### RULE 5

#### WATER SYSTEM FACILITIES

- b. A Water Service Agreement shall automatically terminate and be null and void without further notice from the Authority (i) on the date and terms stated within the Water Service Agreement; (ii) on the date Applicant provides written notice to the Authority that Applicant's project is canceled; (iii) if Applicant does not commence construction on water facilities required by this Rule and/or the Water Service Agreement within 12 months of the effective date of the Water Service Agreement or within such other deadline contained in the Water Service Agreement; or (iv) on the date approval for the project by the applicable governing body expires or is terminated. Upon the termination of a Water Service Agreement, the Application for the project for new Service or Modified Service shall automatically be deemed rejected or canceled.
- (1) If a rejected or canceled Application for the project is re-submitted, a new Water Service Agreement must be entered into by the Authority and Applicant for the project, which agreement may include different terms and conditions, including different fees and facility charges, than those set forth in the prior terminated Water Service Agreement.
- c. If a Water Service Agreement has been executed by Applicant and Authority, and Applicant has paid all required charges in accordance with Schedule WSF and the Water Service Agreement is subsequently terminated, the Applicant shall be entitled to a cash refund or a dollar credit, as set forth below Authority will:
- (1) If the total Refund to the Applicant all Schedule WSF charges paid by the Applicant pursuant to the terminated Water Service Agreement are \$50,000 or less and Applicant submits a written request for a refund to the Authority within 60 days after the execution of the Water Service Agreement, Authority will refund the Applicant or Applicant's designated successor or assign such Schedule WSF charges paid by the Applicant, without interest. , without interest, provided the Water Service Agreement is terminated pursuant to Section B.6.b and provided the total of Schedule WSF charges eligible for refund is \$50,000 or less, or;
- (2) If the total Schedule WSF charges paid by the Applicant pursuant to the terminated Water Service Agreement are more than \$50,000, Authority shall issue a dollar credit to the Applicant, or Applicant's designated successor or assign, equal to the dollar amount of all Schedule WSF charges paid by Applicant, without interest. A, which dollar credit issued pursuant to this subsection can be applied to Schedule WSF charges applicable to in other Water Service Agreement(s) for Application(s) for new Service and Modified Service within the Authority's retail service area as directed in writing by the Applicant, or Applicant's designated successor or assign. In no event can any dollar credit issued by Authority be converted to a cash refund.
- (3) If construction has not commenced on water facilities under the terminated Water Service Agreement, Authority will refund to an Applicant or Applicant's designated successor or assign, all Schedule BSF charges paid by the Applicant

Added: 03/01/08 Amended: 05/21/09; 05/21/10; 01/20/11; 01/19/12

## Truckee Meadows Water Authority

### RULE 5

#### WATER SYSTEM FACILITIES

pursuant to the terminated Water Service Agreement provided in no event shall Schedule BSF charges be refunded if the Authority has otherwise performed any services in connection with such fees.

(4) Except as provided in this subsection B.6.c, all Schedule BSF and Schedule WSF charges paid by an Applicant are non-refundable.

- d. Water Service Agreements, or any rights arising in connection therewith as provided in this Rule, may only be assigned by written notice of assignment provided to the Authority by the Applicant(s) executing the Water Service Agreement. For purposes of Applicant reimbursements for oversizing under this Rule, assignments shall not be effective until thirty (30) days after receipt by the Authority of the written notice of assignment. The Authority is not responsible for errors associated with making, or the inability to make, Applicant reimbursements under this Rule due to any dissolution of any joint venture, partnership, corporation or other entity, or where rights have not been properly assigned in accordance with this Rule.
- e. The Authority shall maintain detailed records of actual costs and provide all Applicants with an opportunity for review of such records, for a period of time in accordance with Authority's records retention schedules.

#### C. General Provisions

1. Construction Prior to Establishing Final Grade or Alignment. Where either final grade or the alignment of roads, streets and alleys, in the proximity of proposed facilities, have not been established, the Authority will require that the Applicant deposit cash or post an acceptable surety bond, in the amount of the Authority's estimated cost of relocation or reconstruction of the facilities thirty (30) Days prior to construction. Upon completion of any such relocation or reconstruction, the Applicant shall replace said surety bond with cash in the amount of the Authority's actual cost incurred in making the relocation or reconstruction.

Where the Applicant has deposited cash to cover such relocation or reconstruction, that deposit shall be adjusted by the Applicant or the Authority to reflect the Authority's actual cost incurred for the relocation or reconstruction. Applicant's responsibility for relocation expires at such time that final grade is established and it is demonstrated, to the satisfaction of the Authority, that the Authority's water Facilities are installed in accordance with the Authority's Standards.

Added: 05/21/09 Amended: 05/21/10; 01/19/12

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

##### A. Applicability

This Rule applies to and sets forth the responsibilities and requirements of a Person applying to the Authority for a Will-Serve Commitment letter from the Authority for the delivery of water to a new Service or Modified Service.

##### B. Definitions

1. Terms not defined in this Section shall have the meaning set forth in Rule 1.
2. As used in this Rule:
  - a. "Applicant" shall mean the Person applying for a Will-Serve Commitment letter.
  - b. "Authority Water Resources" shall mean water resources owned by the Authority and previously held within the Will-Serve Commitment Inventory.
  - c. "Dedicated Water Resource" shall mean water rights, or water rights and necessary facilities accepted for dedication by an Applicant prior to the issuance of a Will-Serve Commitment letter, in order to meet the actual Demand of a new Service or Modified Service.
  - d. "Demand" shall mean the estimated annual quantity of water to be delivered to a Service Property, generally expressed in acre-feet per annum or acre-feet per year.
  - e. "Historic Demand" shall mean the estimated annual quantity of water, as determined by Authority, historically delivered by Authority to a Service Property.
  - f. "Permitted Water Right" shall mean a water right for which the Authority has been issued a permit by the Nevada Division of Water Resources to use for municipal purposes in the Authority's place of use and to be diverted at the Authority's points of diversion.
  - g. "Will-Serve Inventory" shall mean the inventory of uncommitted water resources owned by the Authority which may be made available to Applicants to support an Applicant's Will-Serve Commitment pursuant to this Rule.

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

4. The Applicant may purchase a Will-Serve Commitment letter sufficient to meet the Demand for the Applicant's Project from the Authority only if the following conditions are met:
  - a. No water rights are appurtenant to the location at which new Service or Modified Service is being sought; or
  - b. The Applicant does not have any water rights banked with or previously conveyed to the Authority or other Local Government which remain uncommitted to a Project but could be available for Applicant's Project; or
  - c. The Applicant does not own any water rights that could be dedicated to the Authority pursuant to Section F of this Rule; and
  - d. The Authority has a sufficient inventory of water rights in the Will-Serve Inventory to meet the Demand for the Applicant's Project.

Where the Applicant is a Local Government or State agency seeking New or Modified Service, the Applicant may be granted an exemption to Section G.4(c) if Applicant's Water Resource(s) are committed to current or future water quality purposes, return flow requirements, effluent reuse, recharge, drought reserve, protection against demand fluctuations or such other appropriate water resource management or public use purposes approved by the Board.

Where the Applicant is a Wholesale Service applying for New or Modified Service on behalf of the owner of a retail project within the Wholesale Service's retail service area, Section G.4 shall apply to the owner of the of retail project as if the owner of the retail project were the Applicant.

#### **H. Fees and Issuance of Will-Serve Commitment Letter**

1. Fees Related to Dedication of Water Rights. Prior to the acceptance of Dedicated Water Resources to the Authority, Applicants will pay fees provided in Rate Schedule BSFAuthority-\$250.00-per-parcel to research and verify title, and the Applicant shall provide the Authority all documents and maps evidencing the water rights, including but not limited to (i) Nevada Division of Water Resources Application to Change and supporting Map and/or Report of Conveyance, and Abstract of Title; and (ii) copies of permits and/or certificates issued by the Nevada Division of Water Resources evidencing water rights, and Applicant is responsible for the costs as determined by the Nevada Division of Water Resources for the submission of a Report of Conveyance, Abstract of Title and all related documents as part of the application process with the Nevada Division of Water Resources.

| Added: 03/23/01 Amended: 10/01/03; 10/19/05; 06/21/06; 01/19/12

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

2. Fees for Issuance of Will-Serve Commitment letter. In addition to any other fees in this Rule, Applicants shall pay ~~the Authority a \$100.00 fee~~ fees provided in Rate Schedule BSF to prepare the documents necessary to issue each Will-Serve Commitment letter.
3. Water Meter Retrofit Fund Fees. Applicants relying on any water right other than the conversion of domestic well, imported water sources or groundwater rights for a Will-Serve Commitment letter will pay to the Authority's water meter retrofit fund the sum of \$1,830.00 per AF of Demand related to the new Service or Modified Service prior to the issuance of the Will-Serve Commitment letter.
4. The Applicant is responsible for delivery of the Authority-issued Will-Serve Commitment letter and accompanying documentation to appropriate government entities.
5. Banking Water Rights. The Authority may, in its sole discretion, allow any Person to bank water rights with the Authority for future use by any Person. In the event an individual, any joint venture, partnership, corporation or other entity desires to dedicate water rights to the Authority for the Authority to hold or bank for the future use by the Applicant, or Applicant's designated successor, for a Will-Serve Commitment letter, the Applicant, or Applicant's designated successor, will pay applicable fees set forth in this Section and execute a banking agreement with the Authority. The Applicant, or Applicant's designated successor, shall be billed by the Authority for any fees such as Extension of Time associated with maintaining banked water rights in good standing with the Nevada Division of Water Resources.
6. Issuance of Will-Serve Commitment Letter After Dedication of Water Rights. After the Applicant has satisfied the requirements of Section F and paid the fees under Section H, and the Authority has accepted the Dedicated Water Resource, the Authority shall:
  - a. Prepare the necessary documentation to deed the Dedicated Water Resource to the Authority or Local Government;
  - b. Record such deed at the County Recorder; and
  - c. Upon execution of such deed and acceptance of the Dedicated Water Resource by the Authority, issue a Will-Serve Commitment letter to the Applicant for new Service or Modified Service at the location requested by Applicant.

Added: 10/01/03 Amended: 03/17/04; 10/19/05; 06/21/06; 03/01/08; 01/19/12

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

7. Issuance of Will-Serve Commitment Letter After Purchase. After an Applicant has satisfied the requirements of Section G, paid the price determined in Section G, and paid the fees under Section H, the Authority will issue a Will-Serve Commitment letter to the Applicant for new Service or Modified Service at the location requested by the Applicant.
8. Obligation to Serve. Until such time as the Authority has issued a Will-Serve Commitment letter to an Applicant and facilities are installed pursuant to the Authority's rules to delivery water to the Project, the Authority is not obligated to provide the new Service or Modified Service.

9. Will-Serve Commitments Appurtenance. Will-Serve Commitment letters issued by the Authority and Historic Demand are appurtenant to the Service Property.

#### I. Project Cancellation, Expiration or Termination and Adjustments

1. A Will-Serve Commitment letter is automatically revoked~~terminates~~ and shall be null and void without further notice from the Authority on the date (i) Applicant provides written notice to the Authority that Applicant's project is canceled; or (ii) approval for Applicant's project expires or is terminated by the applicable governing body. In such event and upon written request of the Applicant:
  - a. The Authority shall reconvey to the Applicant any water rights dedicated by the Applicant pursuant to Section F of this Rule for the revoked Will-Serve Commitment Letter; or
  - b. In the Authority's sole discretion, the Authority may hold or bank Dedicated Water Resources or Authority Water Resources in connection with the revoked Will-Serve Commitment letter for the use by the Applicant, or Applicant's designated successor or assign, for a new Will-Serve Commitment letter for another project(s); or
  - c. The Authority shall refund to the Applicant, without interest, the full amount paid to the Authority by the Applicant under Sections H.3 and G as applicable provided (i) the Applicant submits a written request for such a refund to the Authority within ninety (90) days of the issuance of the Will-Serve Commitment letter, or (ii) the total amount eligible for refund is \$100,000 or less. In the event the Authority grants a refund under this subsection, the Authority will return the Authority Water Resources supporting the revoked Will-Serve Commitment Letter to the Will-Serve Inventory; or-

Added: 10/01/03 Amended: 03/17/04; 10/19/05; 06/21/06; 03/01/08; 01/19/12

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

- d. The Authority shall credit (credit in acre feet) the Applicant, or Applicant's designated successor or assign, the amount of Water Resources purchased by Applicant under Section G, which credit can be applied to Application(s) for new Service and Modified Service within the Authority's retail service area as directed in writing by the Applicant, or Applicant's designated successor or assign.
2. Will-Serve Commitment Adjustments and Issuance of Water Resource Credits. Except when revoked pursuant to this Section, Will-Serve Commitment letters issued by the Authority remain appurtenant to the Service Property for which they were issued. Adjustments to the quantity of water resources committed to a Service Property in a Will-Serve Commitment letter may be made pursuant to this Section. Transfer of Will-Serve Commitment letters to different Service Properties is prohibited, however, a water resource credit (credited in acre-feet) may be granted to the owner of property benefited by a Will-Serve Commitment letter where:
- a. An existing building(s) or facility(ies) has been demolished or removed and service to the Service Property is disconnected. A water resource credit (credited in acre-feet) will be issued to the owner of the Service Property under this Section 1.2.a equal to the Demand in the Will-Serve Commitment letter or Historic Demand, if:
- (1) The owner of the Service Property on which service is to be disconnected records a deed restriction with the County Recorder in form acceptable to Authority declaring that there is no entitlement to water resources and/or water service from the Authority benefiting such parcel(s) at the Service Property; and,
  - (2) Service at the Service Property is retired in accordance with Rule 6.
- After completion of the requirements of Section 1.2.a(1) and 1.2.a(2) the Authority's commitment to deliver water to the Service Property shall be deemed revoked and any Applicant for the delivery of water to the Service Property must submit an Application for new Service and satisfy all requirements in this Rule, including supplying water resources pursuant to Section F or G prior to issuance of a Will-Serve Commitment letter for the new Service at the Service Property.
- b. The projected Demand of a new Service or Modified Service at a Service Property is less than the Demand in the Will-Serve Commitment letter or the Historic Demand at the Service Property, in which event a water resource credit (credited in acre-feet) will be issued to the owner of the Service Property under this Section 1.2.b equal to the difference. If the projected Demand of the new Service or Modified Service is greater than the Demand in the Will-Serve Commitment letter or the Historic Demand at the Service Property, no adjustment will be made or water resource credit issued, and the Applicant must dedicate sufficient water resources to the Authority in accordance with Sections F or G of this Rule equal to the water resource deficit prior to the issuance of a new or revised Will-Serve Commitment letter for any new Service or Modified Service at the Service Property.

Added: 10/01/03 Amended: 03/17/04; 10/19/05; 06/21/06; 03/01/08; 01/19/12

# Truckee Meadows Water Authority

## RULE 7

### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

c. The owner(s) of a Service Property requests an adjustment of Demand based on historic delivery of water at the Service Property and:

- (1) The Service Property is not located on a parcel created by subdivision plat (or map) pursuant to NRS Chapter 278;
- (2) The Demand being adjusted is not a Residential Service;
- (3) The person(s) requesting the adjustment owns all real property at the Service Property benefitted by the quantity of water committed to the Service Property; and
- (4) There is at least three (3) or more years of continuous metered water use data or other historic Demand data as determined by the Authority to establish the historic delivery of water for the Service Property being adjusted.

If the Service Property satisfies the requirements of Section I.2.c and Demand in the Will-Serve Commitment letter or Historic Demand is greater than the historic delivery of water calculated under subsection I.2.c(4) above, Authority shall issue a water resource credit (credited in acre-feet) to the owner of the Service Property equal to the difference and issue a revised Will-Serve Commitment letter to the Service Property. If the Demand in the Will-Serve Commitment letter or Historic Demand for the Service Property is less than the historic delivery of water calculated under subsection I.2.c(4) above, the owner of the Service Property shall dedicate sufficient water resources to the Authority in accordance with Sections F or G of this Rule equal to the water resource deficit prior to issuance of a Will-Serve Commitment for any new Service or Modified Service at the Service Property.

- ~~a. An existing building(s) or facility(ies) on the Service Property benefitted by the Will-Serve Commitment letter has been demolished or removed, or an existing water resource credit is appurtenant to the property; and~~
- ~~b. The owner of the property benefitted by the Will-Serve Commitment letter records a deed restriction with the County Recorder declaring that there is no entitlement to water service or Will-Serve Commitment benefiting such property; and~~
- ~~c. Service at the property benefitted by the Will-Serve Commitment letter is retired per Rule 6.~~

~~When these conditions are met, the original Will-Serve Commitment letter will be revoked, and a water resource credit as described in this Section will be issued to the owner of the property benefitted by the Will-Serve Commitment letter. The water resource credit issued under this Section may be used by the owner or its successor or assign to support any application for new Service or Modified Service. Once the original Will-Serve Commitment letter to a property is revoked, any Applicant for new Service or Modified Service to that property must comply with this Rule to obtain a new Will-Serve Commitment letter.~~

Added: 10/01/03 Amended: 03/17/04; 10/19/05; 06/21/06; 03/01/08; 01/19/12

## Truckee Meadows Water Authority

### RULE 7

#### REQUIREMENTS FOR WILL-SERVE COMMITMENT LETTERS

- ~~3. In the case an existing facility(ies) is removed at a Service Property and replaced by new facility(ies) at the same Service Property: (i) if the projected Demand of the new facility is less than the previous facility, the Applicant may be issued a credit in an amount equal to the difference between the previous Will-Serve Commitment letter for the Service Property (or if no Will-Serve Commitment letter was issued, the historic Demand of the facility being removed) and the Demand of the new facility; or (ii) if the projected Demand of the new facility is greater than the previous facility, the Applicant must supply water resources pursuant to Section F or G of this Rule sufficient to handle the additional demand.~~
- ~~4. Upon the request of an owner of a non-subdivision parcel of a Service Property, or at the time application for new Service or Modified Service is made, if three (3) or more years of continuous metered water usage data indicate the non-subdivision parcel is using more or less water than the water resources provided at the time the Will-Serve Commitment letter was issued, based on water resources provided by current and prior Applicants at the location, the Authority shall either:
  - ~~a. Issue a water resource credit (credited in acre-feet) to the owner of the Service Property if the commitment to serve the Service Parcels exceeds usage; or~~
  - ~~b. Collect sufficient water resources from the Applicant for new Service or Modified Service at the Service Property pursuant to Sections F or G to make up the water resource deficit at the location prior to issuing a Will-Serve Commitment letter for new Service or Modified Service at the Service Property.~~~~

Added: 10/01/03 Amended: 03/17/04; 10/19/05; 06/21/06; 03/01/08; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### RMWS – RESIDENTIAL METERED WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for all purposes to any single family residential dwelling served through a separate Service Connection. This Rate Schedule is mandatory for delivery of water to residential Customers in newly constructed residential buildings which are occupied for the first time on or after July 1, 1988; and for residential Customers who receive a Meter pursuant to Rules 2 and 6.

Effective March 1, 2002, any single family residential Customer making a first-time request for residential delivery of water at an existing RFWS or SUFR and any previous single family residential Customer requesting a change of delivery of water to a different single family residential existing RFWS or SUFR, will be required to pay the metered rate pursuant to this Rate Schedule. For previously Unmetered Service Property(ies), the Authority will install Meter Facilities as soon as practicable, with costs to be borne by the Authority in accordance with Rule 6.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge Per Billing Period

<u>Meter Size</u>	<u>Per Meter</u>
Up to 3/4"	<del>\$15.70</del> 17.12
1"	<del>\$17.20</del> 18.80
1 1/2"	<del>\$19.60</del> 21.40
2"	<del>\$22.80</del> 24.80
3"	<del>\$25.90</del> 28.20
4"	<del>\$29.80</del> 32.50
6"	<del>\$34.50</del> 37.70

##### Commodity Charge per 1,000 Gallons for each Tier, All Meter Sizes

Tier 1 0 to 6,000 Gallons per Billing Period	\$1.72
Tier 2 6,001 to 25,000 Gallons per Billing Period	\$2.78
Tier 3 Greater than 25,000 Gallons per Billing Period	\$3.25

##### Late Charge

5% of any amount in arrears from previous billings.

| Added: 03/23/01 -Amended: 11/01/01, 09/25/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### MMWS – MULTIPLE-UNIT RESIDENTIAL METERED WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for all purposes to any multiple-unit residential Customer in multiple-unit complexes including apartment complexes, mobile home parks and two or more detached single family dwellings metered in accordance with Rule 6. This Rate Schedule is mandatory for delivery of water to residential Customers in newly constructed multi-tenant residential buildings occupied for the first time on or after July 1, 1988; and for multiple-unit residential Customers who have received a Meter pursuant to Rules 2 and 6.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

<u>Meter Size</u>	<u>Per Meter</u>
Up to 3/4"	<del>\$15.70</del> <u>17.12</u>
1"	<del>\$17.20</del> <u>18.80</u>
1 1/2"	<del>\$19.60</del> <u>21.40</u>
2"	<del>\$22.80</del> <u>24.80</u>
3"	<del>\$25.90</del> <u>28.20</u>
4"	<del>\$29.80</del> <u>32.50</u>
6"	<del>\$34.50</del> <u>37.70</u>
8"	<del>\$40.00</del> <u>43.70</u>
10"	<del>\$47.00</del> <u>51.40</u>

##### Commodity Charge per 1,000 Gallons for each Tier, All Meter Sizes

Tier 1 All usage up to 4,000 Gallons per Unit Multiplied by number of units per Billing Period	\$1.72
Tier 2 Usage greater than Tier 1 per Billing Period	\$2.78

##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

Added: 03/23/01 Amended: 09/25/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### GMWS - GENERAL METERED WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for Commercial Service to Service Property(ies) with a Meter used for billing purposes and where no other Rate Schedule is specifically applicable.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

<u>Meter Size</u>	<u>Per Meter</u>
3/4"	<del>\$15.70</del> <u>17.12</u>
1"	<del>\$17.20</del> <u>18.80</u>
1 1/2"	<del>\$19.60</del> <u>21.40</u>
2"	<del>\$22.80</del> <u>24.80</u>
3"	<del>\$25.90</del> <u>28.20</u>
4"	<del>\$29.80</del> <u>32.50</u>
6"	<del>\$34.50</del> <u>37.70</u>
8"	<del>\$40.00</del> <u>43.70</u>
10"	<del>\$47.00</del> <u>51.40</u>

##### Commodity Charge per 1,000 Gallons for each Tier, All Meter Sizes

Tier 1	\$1.72
Tier 2	\$2.78
Tier 3	\$3.25

Tier usage levels are set for each Meter size according to this table:

Meter Size	Tier 1 Gallons	Tier 2 Gallons	Tier 3 Gallons
3/4"	0 to 7,000	7,001 to 30,000	Greater than 30,000
1"	0 to 14,000	14,001 to 65,000	Greater than 65,000
1 1/2"	0 to 28,000	28,001 to 120,000	Greater than 120,000
2"	0 to 55,000	55,001 to 210,000	Greater than 210,000
3"	0 to 200,000	200,001 to 640,000	Greater than 640,000
4"	0 to 380,000	380,001 to 1,300,000	Greater than 1,300,000
6"	0 to 1,360,000	1,360,001 to 2,800,000	Greater than 2,800,000
8"	0 to 1,475,000	1,475,001 to 7,400,000	Greater than 7,400,000
10"	0 to 11,000,000	11,000,001 to 20,000,000	Greater than 20,000,000

| Added: 03/23/01 Amended: 09/25/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### MIS – METERED IRRIGATION SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is mandatory for separately metered Irrigation Service.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

##### Meter Size

##### Per Meter

3/4"	<del>\$15.70</del> <u>17.12</u>
1"	<del>\$17.20</del> <u>18.80</u>
1 1/2"	<del>\$19.60</del> <u>21.40</u>
2"	<del>\$22.80</del> <u>24.80</u>
3"	<del>\$25.90</del> <u>28.20</u>
4"	<del>\$29.80</del> <u>32.50</u>
6"	<del>\$34.50</del> <u>37.70</u>
8"	<del>\$40.00</del> <u>43.70</u>
10"	<del>\$47.00</del> <u>51.40</u>

##### Commodity Charge per 1,000 Gallons, All Meter Sizes

Off-Peak <del>Months</del> <u>Period</u>	\$2.78
On-Peak <del>Months</del> <u>Period</u>	<del>\$3.25</del> <u>3.37</u>

##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

Added: 03/23/01 Amended: 09/25/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### MIS – METERED IRRIGATION SERVICE

##### MINIMUM CHARGE

The Minimum Charge hereunder shall consist of the sum of the Customer Charge, commodity charge, late charge, right-of-way toll, and regional water management fee per Billing Period.

##### SPECIAL CONDITIONS

1. If a Customer disconnects and reconnects within one (1) calendar year, the Customer shall pay the Customer Charge for each month the delivery of water was disconnected.

~~2. The Off-Peak Months consist of eight (8) regularly scheduled Billing Periods for delivery of water during the months beginning October through May. The On-Peak Months consist of four (4) regularly scheduled Billing Periods for delivery of water during the months beginning June through September.~~

- ~~3.~~ 2. This Rate Schedule is closed to new applications for the delivery of water through a 3" Service Connection.

| Added: 03/01/05 Amended: 05/21/09; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### RFWS – RESIDENTIAL FLAT RATE WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for residential purposes for use in single family dwellings, condominiums, and apartment complexes where each unit is served through a separate Service Connection. Customers receiving delivery of water under either of the residential metered water or multiple-unit flat rate service Rate Schedules are excluded from this schedule.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

\$ ~~94.1086.30~~ for a 3/4" Service Connection  
 \$ ~~135.50424.30~~ for a 1" Service Connection  
 \$ ~~245.60225.20~~ for a 1 1/2" Service Connection  
 \$ ~~350.10321.00~~ for a 2" Service Connection  
 \$ ~~439.40403.00~~ for a 3" Service Connection  
 \$ ~~557.50510.90~~ for a 4" Service Connection

##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

#### MINIMUM CHARGE

The Minimum Charge for delivery of water for this service shall consist of the sum of the Customer Charge, late charge, right-of-way toll, and regional water management fee per Billing Period.

#### SPECIAL CONDITIONS

1. Customers previously billed at the 1 1/4" Customer Charge will be billed at the 1" Customer Charge.
2. This Rate Schedule is closed to new applications for the delivery of water.

| Added: 03/23/01 Amended: 10/01/03; 03/01/05; 05/21/09; 02/17/10; ~~01/19/12~~

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### SUFR – SMALL UNIT FLAT RATE SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for single family residence(s) on a Service Property(ies) with lot size 3,000 square feet or less served individually through a separate 3/4" Service Connection. Customers receiving delivery of water under either of the residential metered water or multiple-unit flat rate service Rate Schedules are excluded from this Rate Schedule.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

~~\$32.90~~ \$35.87 for a Service Connection.

##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

#### MINIMUM CHARGE

The Minimum Charge for this service shall consist of the sum of the Customer Charge, commodity charge, late charge, right-of-way toll, and regional water management fee per Billing Period.

#### SPECIAL CONDITIONS

1. This Rate Schedule is not available to Customers currently billed under the MRFS or MRIS Rate Schedules.
2. Single family residence Service Property(ies) with lot size(s) greater than 3,000 square feet individually served through a separate Service Connection shall be billed under RMWS or RFWS Rate Schedules.
3. Separate Irrigation Service shall be billed under the MIS Rate Schedule.
4. This Rate Schedule is closed to new applications for the delivery of water.

| Added: 03/23/01 Amended: 10/01/03; 03/01/05; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### FPS – FIRE PROTECTION SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available for fire protection purposes to any Service Property through Customer-owned Fire Facilities as defined in the Rules. Fire Facilities owned by Local Governments within the Authority's retail service territory are excluded from this Rate Schedule.

#### AVAILABILITY

The Authority's retail service territory.

#### RATES

##### Customer Charge per Billing Period

The charge for delivery of water per Billing Period for this service shall consist of a monthly Customer Charge computed at \$ ~~4-605.02~~ per inch of the nominal diameter of the Service Pipe.

##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

#### MINIMUM CHARGE

The Minimum Charge will consist of the Customer Charge, late charge, right-of-way toll, and regional water management fee per Billing Period.

#### SPECIAL CONDITIONS

1. This Rate Schedule is closed to new applications for the delivery of water through a 3" Service Connection.

| Added: 03/23/01 Amended: 02/01/02; 10/01/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### NPS – NON-POTABLE WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available, at the sole discretion of the Authority, to Customers for Non-Potable uses of water including but not limited to, dust control, earth compaction, irrigation or any other Non-Potable use from non-treated or treated water sources of supply managed by the Authority.

#### AVAILABILITY

Delivery of water is available from any mutually agreed Service Connection from existing Facilities of the Authority located within its retail and Wholesale Service territory boundaries.

#### RATES

##### Customer Charge per Billing Period

Per delivery point	\$ <del>29.41</del> <u>32.08</u>
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##### Commodity Charge per 1,000 Gallons

Untreated Water	\$0.925
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Treated Water	\$ <del>3.25</del> <u>3.37</u>
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##### Late Charge

5% of any amount in arrears from previous billings.

##### Other Charges

As specified in Rate Schedule OC and applied to total bill.

#### MINIMUM CHARGE

The Minimum Charge for this service shall consist of the sum of the Customer Charge, commodity charge, late charge, right-of-way toll, and regional water management fee per Billing Period.

| Added: 11/01/02 Amended: 10/01/03; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### IWS – INTERRUPTIBLE WATER SERVICE

#### APPLICABILITY

Delivery of water under this Rate Schedule is available, at the sole discretion of the Authority, to Customers for interruptible water deliveries.

#### AVAILABILITY

Interruptible Water Service is available hereunder from existing Facilities of Authority located within its retail territories.

#### RATES

<u>Customer Charge per Meter per Billing Period</u>	<del>\$29,4132.08</del>
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<u>Commodity Charge per 1,000 Gallons</u>	\$0. <del>9295</del>
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#### Late Charge

5% of any amount in arrears from previous billings.

#### Other Charges

As specified in Rate Schedule OC and applied to total bill.

#### MINIMUM CHARGE

The Minimum Charge will consist of the Customer Charge, commodity charge, late charge, rights-of-way toll, and regional water management fee per Billing Period.

#### CHARACTER OF SERVICE

Delivery of water provided under this Rate Schedule shall be provided at the sole discretion of the Authority and may be subject to frequent and immediate interruptions or curtailments for indefinite periods. Curtailment and/or interruption of delivery of water may take place due to various operating conditions associated with protecting the overall integrity of the water system (such as the need to maintain drought reserves, insufficient water availability, or lack of available capacity); or with repairing, constructing, or maintaining Facilities on the Authority's system; or with other conditions and circumstances both inside and outside of the Authority's direct ability to control (e.g., acts of God, system repair, system failure, labor disputes, etc.). Subject to this general understanding as to the interruptible nature of the delivery of water, the following assurances as to the character of the service are made:

1. The Authority shall provide the Customer with as much notice as is practical of any curtailment of interruption of delivery of water.

Added: 03/23/01 Amended: 10/01/03; 05/21/09; 02/17/10; ~~01/19/12~~

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### LVS – LARGE VOLUME RESALE SERVICE

#### APPLICABILITY

Large Volume Resale Service is applicable to water companies for resale within Wholesale Service areas as established in Rule No. 10.

#### AVAILABILITY

Large Volume Resale Service is available from existing facilities of Authority located within its Wholesale Service territories.

#### RATES

##### Commodity Rates per 1,000 Gallons

##### Sun Valley General Improvement District

First 29,000,000 Gallons per Billing Period	\$1. <del>4146</del>
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Greater than 29,000,000 Gallons per Billing Period	\$2. <del>2937</del>
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##### Washoe County - Spanish Springs Valley

First 21,000,000 Gallons per Billing Period	\$1. <del>3641</del>
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Greater than 21,000,000 Gallons per Billing Period	\$2. <del>1725</del>
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#### Additional Charges

Customer Charge per Meter per Billing Period	\$126.50
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Late Charge:

5% of any amount in arrears from previous billings.

Added: 03/23/01 Amended: 10/01/03; 03/01/05; 09/20/06; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### LVS – LARGE VOLUME RESALE SERVICE

##### Other Charges:

As specified in Rate Schedule OC excluding Regional Water Management Fee and applied to total bill.

##### MINIMUM CHARGE

The Minimum Charge for delivery of water for this service shall consist of the Customer Charge, commodity charge, late charge, and right-of-way toll per Billing Period.

##### SPECIAL CONDITIONS

1. A written contract for delivery of water between the Authority and Customer will be required. The contract shall require the Customer to distribute water within a mutually agreeable specified geographic area, or use water for a mutually agreeable specified purpose.
2. The Customer shall pay all interconnection costs necessary to provide delivery of water per this Rate Schedule, consistent with the Authority's Rules. Any exceptions to this provision will be clearly delineated in the contract.
3. This Rate Schedule is closed to new applications for the delivery of water through a 3" Service Connection.
4. The Authority, in agreement with Customers billed under this Schedule, may annually adjust the tier usage level in this schedule which adjustment would be effective the first billing cycle in June. The adjustment made to each Customer's tier would be based on the average usage ~~of in-gallons-per-month-using-monthly-billing data for~~ the preceding Winter Usage months of December, January, February, and March.

| Added: 03/23/01 Amended: 10/01/03; 03/01/05; 09/20/06; 05/21/09; 01/21/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### FSPR – FIRM STANDBY AND PARTIAL REQUIREMENTS

#### APPLICABILITY

Firm Standby/Partial Requirements Service is available, at the sole discretion of the Authority, to water companies for resale within Wholesale Service areas as established in Rule No. 10, and where another Rate Schedule is not specifically applicable. This Rate Schedule is limited to Customers where: (1) none of their water requirements are supplied by the Authority and the Authority must standby for this service or, (2) only a portion of their normal daily water requirements are supplied by the Authority and the Authority supplies partial water requirements.

#### AVAILABILITY

Firm Standby/Partial Requirements Service is available from existing Facilities of the Authority located within its water service territories.

#### RATES

<u>Customer Charge per Meter per Billing Period</u>	\$126.50
<u>Commodity Charge per 1,000 Gallons, All Meter Sizes</u>	
Per Billing Period	\$0. <del>9295</del>
<u>Demand Charge</u>	
<u>Per Billing Period in the <del>Summer-On-Peak</del> Period:</u>	
Per 1,000 Gallons of Contract Demand	\$ <del>13.80</del> <u>14.15</u>
plus	
Per 1,000 Gallons of Actual Demand above the Contract Demand up to the Allowable Variance	\$ <del>82.80</del> <u>84.90</u>
plus	
Per 1,000 Gallons for which the Actual Demand exceeds the Contract Demand including the Allowable Variance	\$ <del>165.60</del> <u>169.80</u>
<u>Per Billing Period in the <del>Winter-Off-Peak</del> Period:</u>	
Per 1,000 Gallons of Contract Demand	\$ <del>13.80</del> <u>14.15</u>
<u>Late Charge</u>	
5% of any amount in arrears from previous billings.	

| Added: 03/23/01 Amended: 10/01/03; 03/01/05; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### FSPR – FIRM STANDBY AND PARTIAL REQUIREMENTS

##### Other Charges

As specified in Rate Schedule OC excluding Regional Water Management Fee and applied to total bill.

##### MINIMUM CHARGE

The Minimum Charge for delivery of water for this service shall be the sum of the Customer Charge, commodity charge, demand charge, late charge, and right-of-way toll per Billing Period.

##### SPECIAL DEFINITIONS

1. Contract Demand: Contract Demand is defined as the Customer's maximum firm daily capacity (in thousands of gallons) for which Authority will standby for or provide as partial requirements during the ~~Summer-On-Peak~~ Period. The Contract Demand designation shall also set the Customer's maximum daily usage to be served by Authority during the ~~Winter-Off-Peak~~ Period. Usage may be subject to curtailment/interruption by Authority per Special Condition No. 1 of this Rate Schedule. The Contract Demand shall be designated in the contract for service and is subject to adjustment by Authority pursuant to the terms of Special Condition No. 5 of this Rate Schedule.
2. Actual Demand: The Actual Demand is defined as the maximum metered daily usage occurring in the Billing Period.
3. Allowable Variance: The allowable variance amount is 5% above the Contract Demand during the ~~Summer-On-Peak~~ Period, unless another variance amount is specified in the contract for service.
4. ~~The Winter-Period will consist of eight (8) regularly-scheduled Billing-Periods for delivery of water during the months of October through May. The Summer-Period will consist of four (4) regularly-scheduled Billing-Periods for delivery of water during the months of June through September.~~

##### SPECIAL CONDITIONS

1. A contract for service between the Authority and the Customer will be required for delivery of water under this Rate Schedule. The service contract shall require the Customer to distribute water within a mutually agreeable specified geographic area and/or use water for a mutually agreeable specified purpose. The service contract shall include but is not limited to the level of firm service required by the Customer over the term of the agreement (i.e., the Contract Demand), conditions for the termination and extension of delivery of water, requirements as to water resources sufficient to supply water, the specific delivery requirements of the Customer, conditions of delivery, provisions outlining possible service interruptions or

Added: 03/23/01 Amended: 10/01/03; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### FSPR – FIRM STANDBY AND PARTIAL REQUIREMENTS

curtailments, and, where appropriate, assurances of financial security sufficient to ensure payment of all charges for delivery of water.

2. Delivery of water hereunder is intended for, and limited to, wholesale water Customers with firm standby or partial water requirements who own and operate their distribution system; and who provide their own daily storage, fire protection, maintenance, billing, etc. which is necessary to provide their retail service.
3. Customer shall take delivery of water at a point within or adjacent to the Authority's existing distribution Facilities of adequate capacity to provide required delivery of water, or shall pay Authority's entire cost for providing such facilities.
4. The Customer shall provide and install the necessary Meter Facilities, inclusive of the Meter and telemetry equipment necessary for daily meter readings as well as any other equipment required for delivery of water hereunder including flow control devices, piping, and other related equipment. All required equipment and facilities shall be installed in accordance with Authority specifications and in a location that is mutually acceptable. Meter and Meter Facilities shall remain under the sole ownership and operation control of the Authority, unless otherwise specified by the Authority.
5. Contract Demand Adjustment: The established Contract Demand may be adjusted by the Authority to a higher, permanent level if:
  - (i) the Customer's Actual Demand exceeds the existing Contract Demand by ten (10) percent or more two (2) times in the Summer-On-Peak Period over any consecutive 24 month period, or
  - (ii) if the Customer's Actual Demand exceeds the existing Contract Demand by twenty (20) percent or more in any month of the Summer-On-Peak Period.

If either of these two conditions is met, the Customer's Contract Demand may be reset to the highest Actual Demand imposed by the Customer during the Summer On-Peak Period in the last 24 months.
6. Special Condition No. 5 above shall not apply during periods of legitimate emergency, beyond the control and foresight of the Customer, which require the Authority to deliver water in excess of the Contract Demand. The Customer must notify the Authority of any emergency situation requiring the Authority to deliver water in excess of the Contract Demand. If an emergency arises, the Customer shall notify the Authority with reasonable speed, verbally or by phone, specifying the nature of the emergency, the estimated quantity of water to be delivered, the time at which the emergency began, and the time at which the emergency ended.

Added: 03/23/01 Amended: 10/01/03; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### FSPR – FIRM STANDBY AND PARTIAL REQUIREMENTS

7. The Authority is not obligated to provide service to a Customer at levels of capacity that exceed the Contract Demand in the ~~Winter-Off-Peak~~ or ~~Summer-On-Peak~~ Period. Service in excess of the Contract Demand may be subject to curtailment or total interruption by Authority at its sole discretion. If usage above the established Contract Demand occurs in the ~~Summer-On-Peak~~ Period the Authority may adjust the Customer's Contract Demand upward pursuant to Special Condition No. 5 above. In accordance with Special Condition No. 6 above, the Authority shall try to accommodate a Customer's requirements for water deliveries in excess of the Contract Demand when an emergency situation exists.
8. The Authority is not obligated to deliver water at total annual volumes or quantities of water in excess of the level specified in the contract for service. Delivery of water in excess of the annual quantities designated may be subject to curtailment or total interruption by the Authority at its sole discretion.

| Added: 03/23/01 Amended: 10/01/03; ~~01/19/12~~

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### DIS – DITCH IRRIGATION SERVICE

##### APPLICABILITY

Applicable to Irrigation Service only by any Customer described below in the amount of their respective water right(s). Service is to be taken at one point, or alternately at two points, directly from a ditch operated by the Authority and shall not include any service from the Authority's reservoirs, purification basins, or distribution system.

##### AVAILABILITY

Available upon application for a five-month season to those parties, persons, and corporations and their grantors and predecessors in interest who have acquired water rights in the Truckee River and who have permission from the Authority to divert water through a ditch operated by the Authority for use on their respective lands for irrigation in amounts determined by certain decrees and court orders. Should the ditch operated by the Authority be operating after said five-month season, such Customer may apply for additional delivery of water providing such Customer has not already consumed his decreed allocation. In no case will the Authority be obligated to provide irrigation water under this Rate Schedule in an amount that exceeds the decreed allocation for the Customer's lands.

Delivery of water shall only be available during those times that the ditch operated by the Authority is in operation and transporting water. Due to unanticipated emergencies and other unforeseen conditions, it may be necessary to remove the ditch from service during the irrigation season. During drought periods, the Federal Watermaster may require reductions in the amount of water that can be delivered to the Customer's land or even require complete termination of irrigation deliveries. The Authority shall be bound by the Watermaster's directives and shall reduce or curtail delivery of water.

##### RATES

###### Customer Charge

The charge for delivery of water shall be payable in advance and shall be at the rate of \$ ~~16.04~~17.49 for each acre foot for which application is made for the five month irrigation season. This charge may be prorated based on the number of days in the 160 day period for which water is requested to be delivered.

###### Late Charge

5% of any amount in arrears from previous billings.

Added: 03/23/01 Amended: 12/12/01; 10/01/03; 05/21/09; 02/17/10; 01/19/12

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### BSF - BUSINESS SERVICES FEES

	<u>Engineering and Resources</u>	<u>Design or Drafting of "W-1" Plan</u>	<u>Inspection or Distribution Crew</u>
A. Design report or letter for NAC compliance			
1. Final map per phase	\$1,500.00	na	na
2. Tentative Map			
a. Discovery Fee	See Item E	na	na
b. Water Service Acknowledgement Letter	\$100.00	na	na
3. Other new or Modified water system Facilities:			
a. Commercial	\$1,100.00	na	na
b. Multi-tenant	\$1,100.00	na	na
c. Feeder or project main	\$1,100.00	na	na
B. Engineering and planning review, approval, and inspection of water system Facilities			
1. <u>New Service or, Modified or expanded water-s</u> Service for:			
a. Residential: single service tap with service pipe and meter facility (non-subdivision)	\$150.00	\$500.00	\$150.00
b. Residential subdivisions, multi-tenant, and commercial/industrial with main	\$720.00	na	\$150.00
i. Add for each point of inspection	\$15.00	na	\$150.00
c. Commercial, industrial, <u>tenant improvements</u> , irrigation, fire protection or non-potable (includes up to three service taps with service pipes and/or meter facilities)	\$300.00	\$750.00	\$150.00
i. Add for each additional service tap	\$150.00	\$250.00	\$150.00
2. Fire hydrant	\$150.00	\$500.00	\$150.00
3. Feeder or project main only	\$720.00	na	\$150.00
a. Add per lineal foot	na	na	\$1.00
b. Add for each point of inspection along main	\$15.00	na	\$150.00
4. Retirements and domestic well disconnections	na	na	\$150.00
C. Installation of a Service Tap by Authority personnel on a pressurized pipe, commonly referred to as a "hot tap"			
1. Tapping a <del>3</del> <sup>up to 6</sup> inch <del>pipe-hot tap</del> ("Light" or 2-man crew)	na	na	\$400.00
2. Tapping a <del>greater than 2</del> <sup>8 to 12</sup> inch <del>pipe-hot tap</del> ("Heavy" or 4-man crew)	na	na	\$500.00
3. Tapping <del>for all other sizes greater than 12 inches</del> are subject to Authority rules, construction standards, and costs are the responsibility of Applicant	na	na	\$500.00
Added: 06/18/03 Amended: 10/01/03; 07/19/06; <u>01/19/12</u>			

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### BSF - BUSINESS SERVICES FEES

D.	Pressure regulating station design review and inspection (includes set-up of station)	\$430.00	na	\$2380.00
E. Due diligence fees for water projects:				
1.	Annexation	\$1,500.00	na	na
2.	Discovery – Level 1	\$720.00	na	na
3.	Discovery – Level 2	\$1440.00	na	na
4.	Hardship Letters:			
a.	For parcel or lot less than 500 ft from the Authority's water system facilities	\$150.00	na	na
b.	For parcel or lot greater than 500 ft from the Authority's water system facilities	\$50.00	na	na
F. <u>Due diligence for property and water resources</u>				
1.	<u>Due diligence fees to research and verify title of non-permitted water rights, per parcel</u>	<u>\$250.00</u>	na	na
2.	<u>Due diligence fees to research and verify title of permitted water rights, per parcel</u>	<u>\$100.00</u>	na	na
3.	<u>Due diligence fees for tenant improvement or water resource credit(s) per parcel</u>	<u>\$150.00</u>	na	na
4.	<u>Due diligence fees for easement, right-of-way or fee property dedications per parcel</u>	<u>\$150.00</u>	na	na
5.	<u>Preparation of documents including but not limited to Will-Serve Commitment Letter, No Water Rights Required Letter, deeds, banking agreements, state required applications, or Report of Conveyance, per document (fee does not include State, county or other regulatory agency fees)</u>	<u>\$100.00</u>	na	na

Added: 06/18/03 Amended: 10/01/03; 07/19/06; 01/19/12