Colorado PUC E-Filings System

DALLAS CREEK WATER COMPANY, INC.

334 S. 5th Street
Montrose, CO 81401
www.dallascreekwater.com

WATER UTILITY TARIFF

Effective January 1, 2007

REVISIONS

First Revised Tariff	**Effective November 1, 2010**
Second Revised Tariff	**Effective May 3, 2017**
Third Revised Tariff	**Effective December 1, 2019**
Fourth Revised Tariff	**Effective June 1, 2022**

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SECTION 1 - GENERAL/EXPLANATORY MATERIAL

1.1 CHECK LIST

The title page and pages listed below are inclusive and effective as of the date shown. Original and revised pages as named below contain all changes from the original tariff that are in effect on the date shown on each page.

Page Number	Revision		Page Number	Revision
1	First Revised			
2	First Revised			
3	Third Revised			
4	Second Revised			
5	Fifth Revised	(M)		
6	Fifth Revised	(M)		
7	Third Revised	(C)		
8	Second Revised	(T)		
9	First Revised			
10	Second Revised	(N)		
11	First Revised			
12	First Revised			
13	First Revised			
14	First Revised			
15	First Revised			
16	Second Revised	(C)		
17	First Revised			
18	First Revised			
19	Second Revised	(T)		
20	Second Revised			
21	Second Revised			
22	First Revised			
23	First Revised			
24	First Revised			
25	First Revised			
26	First Revised			

Second Amended Advice Letter No. 8	Decision No.	
Signature of Issuing Officer */s/ James Willey*	Issue Date May 23, 2022	
Title: President Dallas Creek Water Company	Effective Date June 1, 2022	

27	First Revised	
28	First Revised	
29	Second Revised	
30	First Revised	
31	Second Revised	
32	First Revised	
33	First Revised	
34	First Revised	
35	First Revised	
36	First Revised	
37	First Revised	
38	First Revised	
39	First Revised	
40	Second Revised	(C)
41	First Revised	
42	Third Revised	(I)
43	First Revised	
44	First Revised	
45	First Revised	
46	First Revised	
47	First Revised	
48	First Revised	
49	First Revised	
50	Second Revised	
51	First Revised	

1.2 EXPLANATION OF SYMBOLS

The following symbols shall be used in this tariff for the purpose indicated below:

(C) To signify changed regulation.

(D) To signify discontinued rate and regulation.

(I) To signify increased rate.

(M) To signify a move in the location of text.

(N) To signify new rate or regulation.

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(R) To signify reduced rate.

(T) To signify a change in text but no change in rate or regulation.

1.3 AUTHORITY. Dallas Creek Water Company, Inc. ("Company") is a corporation incorporated in the County of Ouray, State of Colorado. The Company engages in the business of a public utility furnishing water to Customers under the jurisdiction of the Public Utilities Commission ("PUC") of the State of Colorado.

1.4 DEFINITIONS. Unless the context specifically indicates otherwise, the meaning of terms used herein shall be as follows:

Actual Cost shall mean all direct costs applicable to the construction of a given facility, including: surveys; preliminary and design engineering; construction; inspection; administrative fees; regulatory agency fees; bond fees; all required easements and/or rights-of-way; plan approval fees; "as-built" drawings; attorneys' fees; and other costs necessary for completion.

Applicant shall mean any person, partnership, firm, corporation, or Developer and their lessees, trustees, or receivers appointed by any court, who files an application to be supplied water by the Company, or who files an application to transfer ownership of a Water Tap to serve a particular property, building or structure (a/k/a "Application for Service Agreement"). (T)

Application Approval shall mean written permission of the Company authorizing connection to a Water Main of the Company granting Applicant a license to use the water system or to receive water service from the system owned, operated or served by the Company under the terms of this tariff and pursuant to an approved Application for Service Agreement. (T)

Base Service Charge shall mean a monthly recurring charge assessed to the owner of each parcel of land within the Company's service area for which a Water Tap has been previously issued. Parcels for which an approved Water Tap has been revoked will continue to be subject to the Base Service Charge after the tap revocation, regardless of whether such parcel is connected to the water system or not. (C)

Commercial Customer shall mean all others, for e.g., a developer or owner of property with no intent to personally reside on the property.

Cross-connection shall mean any physical arrangement whereby the Company's water supply is connected, directly or indirectly, with any non-potable or unapproved water supply system, sewer drain, well, conduit, pool, reservoir, plumbing fixture or other device which contains, or may

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contain, any contaminated water, liquid, or other waste of unknown, non-potable or unsafe quality that could impart a contaminant to the Company's water supply as a result of backflow.

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Customer shall mean any person, partnership, firm, corporation, their lessees, trustees, or receivers appointed by any court, who has paid a Water Tap Fee, including those supplied by the Company with water and those receiving "standby" service, and has executed an approved Application for Water Service. (T)

Customer Facilities shall mean those facilities intended to serve one Customer only (e.g. Customer portion of the Water Service Lines).

Developer shall mean the person, firm, joint venture, partnership or corporation that owns undeveloped land (*i.e.* land that does not have immediate access to waterlines) and that seeks to have the land served by the Company.

Engineer shall mean the engineering firm, or duly authorized representative (engineer), designated by the Company to act on its behalf in all engineering and related matters. This item includes a construction inspector employed by the Engineer or Company.

Inspector shall mean the Manager, Superintendent, Engineer, agent, officers, and employees of the Company or other person so designated by the Company to perform inspections pursuant to this tariff.

Local Facilities shall mean those facilities generally designed primarily to serve individual subdivisions or platted tracts of land (*e.g.,* internal subdivision distribution lines and appurtenances).

Master Plan shall mean the adopted Master Plan of the Company, as amended from time-to-time.

Meter In-Service Charge is a monthly recurring charge for those Customers who are connected to the water system.

Oversize Costs shall mean the part of the costs of a water distribution line to be installed within or for a subdivision, but for which the Company has also assigned a transmission function that results in the need for a larger conduit. Oversize costs are the incremental difference between the Actual Costs of the size line required by the Company and the size required by the Developer; however, for purposes of determining oversize, the minimum size shall be assumed to be 8-inch diameter. Engineering and inspection costs are assumed to be proportional to estimated or experienced construction costs. Incremental costs shall be allowed for line fittings, valves, and other appurtenances (if a size increase is required).

Owner shall mean the land's record title holder or lessee.

Person shall mean any individual, firm, company, association, society, corporation, governmental entity or group.

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Water Usage Rate is the rate assessed to the Customer for 1,000 gallons of water. This rate will be billed based on actual usage. The water usage rate is tiered for metered usage that exceeds 10,000 gallons per month. (N)

Unauthorized Connection shall mean connecting to the Company's water system without prior payment of Water Tap Fees, approval of an Application for Service Agreement and adequate supervision and inspection.

Water Service Line shall mean the water line extending from the Water Main to the Customer's building and shall include the tap on the Water Main, curb cock, curb valve and box and meter installation. The Company shall own, and be responsible for, that part of the Water Service Line in the public right-of-way or easement from the main tap to the meter pit, including the curb valve. The Customer shall own and be responsible for the remainder.

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3.6 TRANSFER OF WATER TAPS. A Water Tap is held by the title owner(s) of a particular lot or premises and attaches to the designated premises only. They are usable only in accordance with the terms of the Application Approval for such Water Tap. Neither approvals nor the associated Water Tap and Water Tap Fees are transferable to other persons/entities without payment of the Water Tap Transfer Fees set forth in the schedule of utility rates and fees in effect at the time of the transfer, as well as, payment of all outstanding regulated charges and fees levied against and associated with the Water Tap to be transferred, regardless of whether such charges and fees were incurred by a former owner or otherwise (i.e., all delinquent charges and fees shall be paid prior to transfer of the Water Tap to a new title property owner). (C)

3.7 REVOCATION OF APPLICATION APPROVAL AND WATER TAP. The Company reserves the right to revoke any prior approval of an Application for Service Agreement and Water Tap (and associated rights) before service has been provided (i.e, before connection) for any violation of this tariff and/or non-payment of the Base Service Charge or other regulated charges and fees. The Company will provide written notice to the Customer thirty (30) days in advance before the revocation occurs. In the notice, the Company will state the basis for revocation, what action the Customer must take to avoid revocation and that the Customer may contact the PUC for a formal or informal complaint. The PUC contact information is as follows: (T)

Colorado Public Utilities Commission
1560 Broadway, Suite 250
Denver, Colorado 80202
303-894-2070 or 1-800-456-0858 (within Colorado only)

3.8 SERVICE CONNECTION. Upon Applicant's agreement to pay the applicable Water Tap Fees and other applicable charges, the Company shall supply a meter pit and water meter for each approved service connection, at the request of the Customer at such time water service is sought to begin. Cost of the installation of a Water Service Line from the meter pit to the Applicant's residence or property, including installation of the meter pit, shall be borne by the Applicant. The Company shall approve the meter pit location prior to installation. Applicant shall:

a. install the meter pit furnished by the Company to its specifications;

b. provide and maintain the Applicant's facilities for the reception and use of water from said meter at Applicant's sole cost;

c. assume all responsibility for damages arising from the leakage or breakage of Applicant's facilities, including damage by water therefrom; and

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Agreement, and adequate supervision and inspection of the prior connection by Company employees. In the event the Water Tap Fees are not paid within a fifteen (15) day period after connection, a notice of revocation of Water Tap shall be sent and service shall be disconnected pursuant to Section 3.7 of this tariff. Once discontinued, service may be returned to the property only upon receipt by the Company of any Turn-on/Turn-off Fees, Water Tap Fees and/or any other charges and fees that may be due pursuant to this tariff. (T)

3.14 DISCONTINUANCE OF SERVICE. The Company shall not discontinue connected water service to a Customer for any reason other than nonpayment of regulated fees and charges; fraud or subterfuge; service diversion, equipment tampering, safety concerns, exigent circumstances; discontinuance ordered by any appropriate governmental authority and properly discontinued service being restored by someone other than the Company when the original cause for proper discontinuance has not been cured.

3.14.1 The Company shall not discontinue connected water service for nonpayment of any of the following: (T)

(I) Any amount that has not appeared on a regular monthly bill or that is not past due. Unless otherwise stated in a tariff or Commission rule, an account becomes "past due" on the 31st day following the due date of current charges.

(II) Any amount due on another account now or previously held or guaranteed by the Customer, or with respect to which the Customer received service, unless the amount has first been transferred either to an account which is for the same class of service or to an account which the Customer has agreed will secure the other account. Any amount so transferred shall be considered due on the regular due date of the bill on which it first appears and shall be subject to notice of discontinuance as if it had been billed for the first time.

(III) Any amount due on an account on which the Customer is or was neither the Customer of record nor a guarantor, or any amount due from a previous occupant of the premises. This subparagraph does not apply if the Customer is or was obtaining service through fraud or subterfuge or the Company transfers to a Customer a balance from the account of a person other than that Customer shall have in its tariffs the Company's benefit of service transfer policies and criteria. The Company will verify, prior to billing a Customer under the benefit of service tariff, that the person to be billed in fact received the benefit of service.

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than a maximum period of ten (10) years from the date of facilities acceptance.

6.3 SERVICE CONNECTION FEES. Service Connection Fees cover the Actual Cost of design, installation, inspection and records processing for connecting the taps and installing Water Service Lines. If multiple inspections are required because of poor installation or poor scheduling on the part of the contractor, the costs associated therewith are included in the Service Connection Fees. The Customer shall pay the Actual Cost as a Service Connection Fee.

6.4 WATER TAP FEES. These are fees designed to provide a recovery of capital investment attributable to construction, improvement, upgrade, major repair and replacement of Regional Facilities of the Company's water systems, among other purposes as defined in Section 1 herein. The current fee schedule is included in Section 7.

6.5 BASE SERVICE CHARGE. The Company shall charge a Base Service Charge to the owner of each parcel of land within the Company's service area for which a Water Tap has been previously issued. Parcels for which an approved Water Tap has been revoked will continue to be subject to the Base Service Charge after the tap revocation, regardless of whether such parcel is connected to the water system or not. The Company will rely on Ouray County Assessor records to determine whether the property is considered a parcel of land subject to the Base Service Charge. The Base Service Charge covers generally fixed portions of water operation, maintenance and replacement costs (*i.e.* those costs which are largely independent of actual water usage) and are designed to represent the proportionate cost to an owner for continuing to make capacity available in the future. (C)

6.6 METER IN-SERVICE CHARGES. The Company will assess this monthly recurring charge to those Customers who are connected to the water system. Meter In-Service charges shall be billed as shown in Section 7.

6.7 CONSTRUCTION WATER CHARGE. A non-refundable construction water charge shall be paid when the applicant for a new water service desires to have water service available at the premises for construction use prior to the time a meter may be properly set and protected from damage. Payment of the construction water charge will enable the premises to receive un-metered water service for construction use until the service is activated. Occupancy of the premises shall not occur until a meter shall have been installed. The non-refundable construction water charge shall be established by the Company. The construction water charge shall be sufficient to generate the revenues estimated to have been collected if a meter had been installed.

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6.8 WATER TRANSFER TAP FEES. No Water Tap Fees paid on behalf of one property or Owner, or any portion thereof, may be transferred to any other property or Owner without the written approval of the Company. The Company charges a Water Tap Transfer Fee to cover administrative costs of maintaining and updating Customer ownership and billing records. No water tap shall be transferred on the records of the Company without receipt of a Water Tap

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SECTION 7 - SCHEDULE OF UTILITY RATES AND FEES

	Monthly	
Base Service Charge	$66.54	(I)
Meter In-Service Charge	$54.02	(I)
	Non-Recurring	
Water Tap Fee	$14,000	(I)
Turn-on/Turn-off	$50.00	
Water Tap Transfer Fee	$50.00	
After-Hours Fees		
First Hour	$60.00	
Additional Fifteen (15) Minutes	$15.00	
Emergency Water Supply Construction Fee (Metered Customers)		
One Time Fee	$188.36	
12 Monthly Installments	$15.77 (ea month)	
36 Monthly Installments	$5.26 (ea month)	
	Usage	
Customer Usage Fee per 1,000 gallons (up to 10,000 gallons per month)	$11.04	(I)
Customer Usage Fee per 1,000 gallons (over 10,000 gallons per month)	$13.35	(N)

Second Amended Advice Letter No. 8	Decision No.	
Signature of Issuing Officer *<u>/s/ James Willey</u>*	Issue Date May 23, 2022	
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Water Distribution Fee per 1,000 gallons	$1.52
Raw Water Fee per 1,000 gallons	$7.50
Service Connection Fee	Individual Case Basis

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