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OFFICIAL RULES

AND

REGULATIONS

GOVERNING

WATER UTILITIES

IN

NORTH CAROLINA



ISSUED BY

STATE OF NORTH CAROLINA  
UTILITIES COMMISSION

RALEIGH

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# North Carolina Utilities Commission

Raleigh  
North Carolina

## AUTHORIZATION OF RULES

A. Section 62-30 of the General Statutes of North Carolina provides that the Utilities Commission shall have general supervision over the rates charged and the service given as follows; to wit:

1. By electric light, power, and water companies . . . other than such as are municipally owned or conducted.
2. By flume companies, corporations, other than municipal corporations, or individuals owning or operating public sewerage systems in the State of North Carolina.

In accordance with the above provision the Utilities Commission has adopted the following rules to become effective April 1, 1952:

B. The adoption of these rules shall in no way preclude the Utilities Commission from altering or amending them in whole or in part or from requiring any other or additional service, equipment, facility, or standard, either upon complaint or upon its own motion, or upon the application of any utility. Furthermore, these rules shall not in any way relieve any utility from any of its duties under the laws of this State.

## RULES AND REGULATIONS PRESCRIBING STANDARDS FOR WATER SERVICE, PROVIDING FOR THE TESTING OF WATER METERS, AND OTHERWISE REGULATING THE SERVICE OF WATER UTILITIES

### Rule 1—Application of Rules

(a) To Whom Applied—These rules apply to public water utilities as defined in Rule 2 (b) below.

### Rule 2—Definitions

(a) Commission—The word "Commission" shall mean the North Carolina Utilities Commission.

(b) Utility—The term "utility" when used in these rules and regulations includes persons and corporations, or their lessees, trustees, and re-



ceivers, now, or hereafter, distributing or furnishing water to the public for compensation. The term "Utility" does not include municipalities.

(c) Customers—The word "customers" as used in these rules shall be construed to mean any person, group of persons, firm, corporation, institution, or other service body furnished water service by a water utility.

(d) Municipality—The term "municipality" when used in these rules includes a city, a county, a village, a town, and any other public body existing, created, or organized as a government under the Constitution or laws of the State.

### **Rule 3—Records and Reports**

(a) Location and Preservation of Records—All records shall be kept at the office or offices of the utility in North Carolina and shall be available during regular business hours for examination by the Commission or its duly authorized representatives.

(b) Reports to Commission—Each utility shall prepare and file an annual report to the Commission in prescribed form, giving required information respecting its general operations. Special reports shall also be made concerning any particular matter upon request by the Commission.

### **Rule 4—Approval of Rate Schedules, Rules and Regulations**

(a) Approval Required—Rates, schedules, rules, regulations, special contracts, and other charges for the purchase, sale, or distribution of water shall not become effective until filed with and approved by the Commission.

(b) Manner of Filing—Tariffs containing all the rates, rules, and regulations of each utility shall be filed in the manner prescribed by the Commission.

#### **(c) Utility's Special Rules—**

(1) A utility desiring to establish any rule or requirement affecting its customers shall first make application to the Commission for approval of the same, clearly stating in its application the reason for such establishment.

(2) On or after ninety days from the effective date of these rules and regulations any utility's special rules and regulations now on file with the Commission which conflict with these rules will become null and void unless they have been refiled and approved by the Commission.

**Rule 5—Maps and Records**

Each utility shall keep on file in its office suitable maps, plans, and records showing the entire layout of every pumping station, filter plant, reservoir, transmission and distribution system, with the location, size and capacity of each plant, size of each transmission and distribution line, fire hydrant, valve and customer's service reservoirs, tanks, and other facilities used in the production and delivery of water.

**Rule 6—Access to Property**

A utility shall at all reasonable times have access to meters, service connections, and other property owned by it on customer's premises for purposes of maintenance and operation, including cutting off customer's supply of water for any of the causes provided for in these rules and regulations or the rules and regulations of the utility.

**Rule 7—Adequacy of Facilities**

(a) Production—All producing equipment must be sufficiently large to meet all normal as well as reasonable emergency demands for service.

(b) Distribution—The transmission and distribution system shall be so designed, constructed, maintained, and operated as to enable each water utility to supply its customers adequate service as prescribed in Rule 13.

**Rule 8—Service Interruptions**

(a) Record—Each utility shall keep a record of all interruptions of service upon its entire system or major divisions thereof, including a statement of time, duration, and cause of such interruptions.

(b) Notice Required—Insofar as practical every customer affected shall be notified in advance of any contemplated work which will result in interruption of service of any long duration, but such notice shall not be required in case of interruption due to accident, the elements, public enemies, strikes, which are beyond the control of the utility.

**Rule 9—Dead Ends**

Operation of Dead Ends—Dead ends in the distribution mains should be avoided so far as possible. If such dead ends exist the utility should provide facilities for flushing if conditions so require.

**Rule 10—Cross Connections**

No physical connections between the distribution system of a public potable water supply

and that of any other water supply shall be permitted unless such other water supply is of safe, sanitary quality and has been approved by the State Board of Health.

**Rule 11--Accidents**

**Records**—Each utility shall keep a record of each accident happening in connection with the operation of its plant, station, property, and equipment, whereby any person shall have been killed or seriously injured, or any substantial amount of property damaged or destroyed, which report shall be made available to the Commission upon request.

**Rule 12--Quality of Water**

**Purity**—Every water utility shall comply with the rules of the State Board of Health governing purity of water, testing of water, operation of filter plant, and such other lawful rules as that Board may prescribe.

**Rule 13--Pressure Requirements**

(a) Each utility shall, subject to the approval of the Commission, adopt and maintain an adequate pressure for its distribution system.

(b) The pressure to be adopted in (a) above must be approved and filed with the Engineering Division of the Commission. No major change shall be made by the utility in the adopted pressure or pressures in its system without the approval of the Commission.

(c) Each utility, if conditions warrant it, shall establish an elevation in each pressure district above which it cannot serve water. This elevation shall be filed with the Engineering Department of the Commission.

**Rule 14--Pressure Gauges**

(a) A utility shall provide itself with one or more portable pressure gauges or have available one or more graphic recording pressure gauges, these instruments to be of a type and capacity suited to the pressure of the system.

(b) A utility shall make a sufficient number of pressure surveys each year to indicate the service furnished and to satisfy the Commission of its compliance with the pressure requirements.

(c) All utilities having graphic recording gauges shall keep at least one of these gauges in continuous service at the plant office or elsewhere on the premises. All pressure records are to be kept in compliance with the regulations of the Utilities Commission.

### **Rule 15—Service Connections**

(a) Each water utility shall adopt a standard method for installing a service connection or meter installation, which is included in the "connection charge." Such method shall be set out with a written description and drawings, together with a schedule of connection charges, to the extent necessary for a clear understanding of the requirements and shall be submitted to the Commission for its approval.

(b) The term "service connection" shall mean, viz: the pipe between its main and the nearest property line, a curb cock and curb box or other standard equipment and connections. The curb cock may be installed at a convenient place between the property line and the curb.

(c) Temporary service shall be installed by mutual agreement.

(d) The customer shall furnish and lay the necessary pipe to make the connection from the property line nearest the utility's water main, and shall keep the service line from the property line to the place of consumption in good repair. The customer shall not make any change in or rebuild such service line without giving written notice to the utility. All of the foregoing shall be designated as "customer's service line."

(e) In the installation of a service line, the customer must not install any tees or branch connection ahead of the meter location and must leave the trench open and pipe uncovered until it is examined by an inspector of the utility and shown to be free from any irregularity or defect.

(f) In any case where a reasonable doubt exists as to the proper location and size for "customer's service line," the utility shall be consulted and its approval of the location and size of line be secured in writing.

### **Rule 16—Extension of Mains**

All utilities shall make extensions to their water systems as are economically feasible. Each utility shall adopt a policy governing such extensions which shall be submitted to the Commission for approval.

### **Rule 17—Refusal to Serve Applicants**

(a) Noncompliance with Rules and Regulations—Any utility may decline to serve an applicant until he has complied with State regulations gov-



erning water service and the approved rules and regulations of the utility.

(b) **Utility's Facilities Inadequate**—Until adequate facilities can be provided, a utility may decline to serve an applicant if, in the best judgment of the utility, it does not have adequate facilities to render service applied for or if the intended use is of a character that is likely to affect unfavorably service to other customers.

(c) **Applicant's Facilities Inadequate**—The utility may refuse to serve an applicant if, in its judgment, the applicant's installation of water piping is regarded as hazardous or of such character that satisfactory service cannot be given.

#### **Rule 18—Deposits from Customers**

(a) **Security Deposit**—A utility may require from any customer or applicant deposit to secure the payment of bills not to exceed the amount of an estimated 3 months bill.

In the event that the amount of the deposit is more than five dollars (\$5.00), interest shall be paid at the rate of six per cent (6%) per annum, payable on return of deposit. Such deposit shall be returned to the customer by the utility upon discontinuance of service and upon payment by the customer of final bill.

A utility shall not be required to pay interest on deposits more than one month after discontinuance of service to the customer.

Temporary service customers shall make such cash deposits as fixed by the Rates, Rules and Regulations of the utility.

(b) **Retained Deposit**—Each utility shall provide reasonable ways and means whereby a depositor who makes application for the return of his deposit, or any unpaid balance thereof to which he is entitled, may not be deprived of this deposit or balance in case he is unable to produce the original receipt.

(c) **Return of Deposit**—Each utility may, at any time after satisfactory credit is established, return the deposit made by the customer. At that time all accrued interest on the deposit shall also be paid. In the event the customer refuses to accept return of deposit and interest, the utility shall not be liable for the payment of any additional interest on the deposit.

#### **Rule 19—Customer's Discontinuance of Service**

Any customer desiring service discontinued shall give a written notice to the utility unless

otherwise incorporated in the rules and regulations of the utility. Until the utility shall have such notice the customer may be held responsible for all service rendered.

**Rule 20—Utility's Discontinuance of Service**

Neglect or refusal on the part of a customer to comply with these rules or the utility's rules properly filed with the Commission shall be deemed to be sufficient cause for discontinuance of service on the part of the utility.

(a) Access to Property—The utility shall at all reasonable times have access to meters, service connections, and other property owned by it on customer's premises for purposes of maintenance and operation. Neglect or refusal on the part of the customer to provide reasonable access to their premises for the above purposes shall be deemed to be sufficient cause for discontinuance of service on the part of the utility.

(b) Notice of Discontinuance—No utility shall discontinue service to any customer for violation of its rules or regulations without first having diligently tried to induce the customer to comply with its rules and regulations. After such effort on the part of the utility, service may be discontinued only after at least twenty-four hours written notice of such intention shall have been given the customer by the utility, provided, however, where an emergency exists or where fraudulent use of water is detected, or where a dangerous condition is found to exist on the customer's premises, the water may be shut off without such notice.

(c) Disputed Bills—In the event of a dispute between the customer and the utility respecting any bill, the utility shall make forthwith such investigation as shall be required by the particular case, and report the result thereof to the customer. In the event that the matter in dispute cannot be compromised or settled by the parties, either party may submit the facts to the Commission for its opinion, and pending such opinion, service shall not be discontinued.

(d) Non-payment—No utility shall discontinue service to any customer for non-payment of bill without first having diligently tried to induce the customer to pay the same and until after at least twenty-four hours written notice to the customer.

(e) Reconnection Charge—Whenever the supply of water is turned off for the violation of rules

and regulations, non-payment of bill, or fraudulent use of water, the utility may make a reconnection charge, payable in advance, for restoring the service, which charge shall not exceed four dollars (\$4.00) for restoring said service.

(f) When for any valid reason the supply of water has been turned off at the customer's request, the charge for restoring service shall not exceed \$2.00.

(g) No plumber, owner, or other unauthorized person shall turn the water on or off except in case of emergency at any corporation stop or curb stop, or disconnect or remove the meter without the consent of the utility.

#### **Rule 21—Information to Customers**

(a) Information as to Kinds of Service—A utility shall, when accepting application for water service, give full information to the applicant concerning type of service to be rendered and rates which will be applicable, advantageous, and suitable to his requirements.

(b) Meter Reading Method—Each utility shall adopt some means of informing its consumers as to the method of reading meters.

(c) Posting of Rates, Rules and Regulations—Every utility shall provide in its business office, near the cashier's window, where it may be available to the public, the following:

(1) A copy of the rates, rules and regulations of the utility applicable to the territory served from that office.

(2) A copy of these rules and regulations.

#### **Rule 22—Method of Measuring Service**

(a) Metered—All water sold within the State of North Carolina, except as hereinafter stated, shall be by metered measurements. All customers served under a given rate schedule shall have their water consumption measured with meters having suitable characteristics.

(b) Unmetered—Where it is impractical or uneconomical to install meters to measure temporary service or to measure use of a fixed character, then such service may be supplied unmetered, provided, that the price charged for the service shall be estimated as nearly as practicable to what would be charged if meters were in use.

(c) Waste or Fraud—The utility shall have the right to set meters or other devices for the detec-

tion and prevention of fraud or waste, without notice to the customer.

In any case where a service meter or service facility has been tampered with so as to interfere with accuracy of registration or indication, the utility whose meter or service facilities have been tampered with shall be entitled to payment for water used but not registered during a period not exceeding one year prior to the date of discovery of the tampering, unless the time of tampering can be shown, in which case the water not registered subsequently to such time shall be paid for.

(1) Wherever flat rate service is furnished for a special use and a demonstrated abuse of such service occurs, the utility shall have the right, upon written notice to the customer, to meter such service and bill for same under an applicable schedule.

#### **Rule 23—Information on Bills**

(a) Meter Readings—Bills rendered periodically shall show the readings of the water meter at the beginning and end of the time for which bill is rendered, the dates on which the readings were taken, and the amount of water supplied.

(b) Mechanical Billing—Utilities desiring to adopt mechanical billing of such nature as to render compliance with all the terms of paragraph (a) impracticable, may make application to the Commission for relief from part of these terms. After consideration of the reasons given when asking for relief, the Commission may allow the omission of part of these requirements.

(c) Billing—Meters will be read as nearly as possible at regular intervals. This interval may be monthly, or quarterly, however no change shall be made in the billing interval except on approval of the Commission.

#### **Rule 24—Sale of Water**

No utility shall charge or demand or collect or receive any greater or less or different compensation for sale of water, or for any service connected therewith, than those rates and charges approved by the Commission and in effect at that time.

#### **Rule 25—Adjustment of Bills for Meter Error**

(a) Meter Fast—Whenever a meter in service is found, upon periodic, request or complaint test, to be more than two per cent fast, additional tests



shall be made at once, to determine the average error of the meter.

Whenever a meter is found, upon periodic, request or complaint test, to have an average error of registration of more than two per cent (2%) fast, the utility shall recalculate the monthly bills for a period equal to one half of the time elapsed since the last test, but in no case shall this period exceed six (6) months. (See exception noted in paragraph (d). The method of recalculating the monthly bills shall be as shown in the following example:

Example: A meter upon test was found to register five per cent (5%) fast. The consumption registered for a billing period previous to test was 105,000 gallons. The error in registration is determined by dividing 105,000 by 100% plus 5% or 105% which result is 1000, this multiplied by 100 is 100,000 gallons, which is the proper amount to be billed. After making such recalculations the utility shall refund to the customer an amount equal to the difference between the amount previously billed and the amount calculated as being the proper charge.

(b) Meter Slow—When a meter, upon periodic, request or complaint test, is found to have an average error of more than two per cent (2%) slow, the utility may recalculate the monthly bills for a period equal to one-half of the time elapsed since the last test, but in no case to exceed six (6) months. The method of recalculating the monthly bills shall be as shown in the following example:

Example: A meter upon test was found to register five per cent (5%) slow. The consumption registered for a billing period previous to test was 105,000 gallons. The error in registration is determined by dividing 105,000 by 100% minus 5% or 95% which result is 1105.26, this multiplied by 100 is 110,526 gallons, which is the proper amount to be billed.

After making such recalculations the utility may collect from the customer an amount equal to the difference between the amount previously billed and the amount calculated as being the proper charge.

(c) Per Cent Error—It shall be understood that when a meter is found to have an error in excess of two per cent fast or slow, the figure for calculating the amount of refund or the amount to be collected by the utility shall be that percentage of error as determined by the test, i.e., it is held

that it is the duty of the utility to maintain the accuracy of its measuring devices as nearly 100% as is commercially practicable. Therefore, per cent error shall be that difference as between 100% and that amount of error as is indicated by a proper test.

(d) Refunds—The burden of maintaining measuring equipment, so that it will register accurately, is upon the utility; therefore if meters are found upon test to register fast, and if time for periodic test has overrun to the extent that one-half (1/2) of the time elapsed since the last previous test exceeds six months, the refund shall be for the six months as specified in paragraph (b), and in addition thereto a like refund upon those months exceeding the periodic test period, provided, however, that the Commission may relieve the utility from this requirement in any particular case in which it is shown that the failure to make the periodic test was due to causes beyond the utility's control. No bill shall be recalculated on account of slow meter if the meter has not been tested within the periodic test period.

(e) Notification—When a meter is tested and it is found necessary to make a refund or back-bill a customer, the customer shall be notified in writing and a copy of said notice filed by the utility.

(f) Non-Registering—If a meter is found not to register for any period, the utility shall estimate the consumption, based on a like period of similar use.

#### **Rule 26—Interpretations**

(a) Residential Service—"Residential Service" is defined as service to a householder or tenant living in a separate house or a separate apartment in an apartment building.

Should the owner of a multiple apartment building undertake to furnish water to his tenants as a part of their monthly rent, then such service shall be classed as "Commercial."

However, a close member of a householder's family, living with that householder and using the same water facilities, shall not be classified as an additional service or as "Commercial."

In cases where a householder or tenant devotes some portion of the occupied building to commercial use and uses the remainder as a residence, then the predominant use of water shall constitute the basis for classification as either residential or commercial.

(b) Commercial Service—"Commercial Service" is defined to include service to each separate business enterprise, occupation, or institution occupying for its exclusive use any unit or units of space as an entire building, entire floor, suite of rooms or a single room, and using water for such incidental use as the schedule of rates applicable to the particular installation may permit. "Commercial Service" shall apply to all stores, offices, hotels, wholesale houses, garages, display windows, signs, theaters, barber and beauty shops, churches, opera houses, auditoriums, lodge halls, school houses, banks, bakeries, and any other space occupied for commercial purposes. Any rooming house, lodging house, resort, inn or tavern renting more than four rooms to strangers or transients without any previous agreement for accommodation or as to the duration of stay shall be classed as a hotel and as such it comes under the "Commercial" classification.

Where a single business enterprise or institution occupies more than one unit of space in the conduct of the same business, each separate unit will be metered separately and considered a separate service unless the customer makes the necessary provisions whereby the different units may be connected to permit the metering of all water used through one meter. The above rule shall not be construed to allow any customer to secure combined meter readings and billings by reason of ownership in the same person, partnership, association, or corporation of different buildings or units of space which are not used and operated by the customer and held out to the public as one single business unit.

(c) Industrial Service—"Industrial Service" is defined as a customer manufacturing or producing a commodity for the use and sale to the general public.

(d) Fire Protection Service—"Fire Protection Service" is defined as each customer taking service under a distinct fire protection rate schedule.

#### **Rule 27—Fire Protection Service**

The rate fixed in the schedule to be paid for fire hydrants contemplates the use of a sufficient amount of water through said hydrants for the bona fide purpose of extinguishing fires, by or under the supervision of fire department employees or officials, and does not authorize the use of said hydrants and the water that flows therefrom by any unauthorized person.

The company may require all new consumers who desire both regular commercial service and fire protection service to install separate service lines, one to be used only for fire protection. The company may require all old consumers who now have only one service connection for combined commercial service and for fire protection to install separate lines, all expenses incurred in making such change to be paid for by the company. In cases where separate lines are installed, the consumer is not permitted to take water from the fire protection line except for the extinguishing of fires or for fire drills. Neither will the company permit an inter-connection to be made between the regular service line and the fire protection line.

**Rule 28—Meter Testing Facilities and Equipment**

(a) Meter Test—Each utility shall, unless specifically excused by the Commission, provide for and have available such meter-testing instruments and other equipment and facilities as may be necessary to make the tests required by these rules or other orders of the Commission. Such equipment and facilities shall be satisfactory to and approved by the Commission and shall be available at all reasonable times for the inspection and use of any authorized representative of the Commission.

All testing instruments and other equipment shall at all times be accompanied by a certificate signed by a proper authority giving the date when it was last certified and adjusted, and certificates, when superseded, shall be kept on file in the office of the utility.

**Rule 29—Water Meter Accuracy**

(a) Installation Test—Every water service meter, whether new or repaired, shall be in good order and shall be correct to within 2% fast or slow before being installed for the use of any customer.

(b) Meter Test Flows—The following test rates are recommended for conducting tests:

It is recommended that no less than three rates of flow be used.

Meter Size	Allowable Range Test Flow		Recommended Test Rate Flow		
	Gallons per Minute		Gallons per Minute		
	Min.	Max.	Min.	Med.	Max.
1½	5	100	5	25	100
2	8	160	8	40	160
3	16	300	15*	100	300
4	28	500	15*	250	500
6	48	1000	20*	500	1000

\*Note—A meter failing to register 5% of the water passed at those rates marked \* should not be installed without correction.



(c) Method of Testing—All tests to determine the accuracy of registration of any water service meter shall be made with suitable testing instruments.

**Rule 30—Location of Meters**

(a) Accessibility—In the interest of safety and convenience to the customer, and as a measure of economical operation to the utility, it is required that all meters should be located at the curb, provided, however, that when such location is impractical, meters shall be placed outside of the customer's building as near as possible to the point where the utility's "Service Connection" joins the "Customer's Service Line"; provided, further, if neither of the foregoing requirements can be complied with on account of physical, economic, or climatic conditions, the meter may be placed within the building, preferably in the cellar, and when so placed within the building, the meter shall be so located that it will be easily accessible for reading and protected from freezing and mechanical damage.

(b) Meter Grouping—When a number of meters are grouped, every meter shall be tagged so as to indicate the particular customer or premise served by it.

**Rule 31—Sealing Meters**

Each utility, at its own option, may employ seals to prevent tampering.

**Rule 32—Periodic Test**

(a) Meters of a compound, fireline, or turbine type containing a current meter unit in a system supplying clear spring or well water shall be periodically tested as follows. Under average conditions the following intervals between tests shall not be exceeded.

Meter Sizes	Years Between Tests
1½	4
2	4
3	3
4	2
6	1

**Rule 33—Request Test**

(a) Procedure—Each utility furnishing water service shall, without charge, make a test of the accuracy of any water meter upon request of the customer provided the customer does not request such test more frequently than once in twenty-four months. If a customer requests a meter be

tested more frequently than once in twenty-four months and if such meter shall be found to register not more than two per cent fast, the customer shall pay to the utility the fee as fixed by the Commission in Rule 33 (b). A report giving the result of each request test shall be made to the customer and to the Utilities Commission, and the complete original record shall be kept on file in the office of the utility for at least five years. The customer or his representative may be present when this test is run.

(b) Charge—All tests shall be made as soon as practicable. The charges fixed by the Commission for making such tests are as follows:

Outlet 1 inch or less	\$2.50
Outlet 2 inches and over 1 inch	3.00
Outlet 3 inches and over 2 inches	3.75
Outlet 4 inches and over 3 inches	4.50

#### Rule 34—Meter Test Records

(a) Reporting—A complete record of all tests and adjustments with sufficient data to allow checking of test calculations shall be recorded by the meter-man and shall be reported to the Commission as required on such form or forms as may be prescribed by the Commission.

The test records shall be so kept that they may be readily inspected and checked by the Commission's representative.

(b) Meter Records—All meters shall have a number plainly stenciled or stamped on the meter case or lid, or stamped upon a metal strip, suitably attached to meter or case.

(1) It is recommended that a separate card be prepared for each meter, that this card be so arranged that the date and data of each test may be entered thereon, that the card be of such character that a marker system can be used that will record the date of the last test and indicate the proper date for the next periodic test required by these rules.

#### PRESERVATION OF RECORDS

Type of Records	Length of Time to be Retained
Interruption of Service Records	2 years from date of interruption
Accident Records	permanently
Meter Test Records	5 years
Pressure Records	2 years