

# NATURAL GAS SERVICE RULES OF THE CORNING MUNICIPAL UTILITIES

| Amending or Replacing Prior Versions – Effective September 8<sup>th</sup>, 2022

# **DIVISION ONE - PURPOSE AND CONSTRUCTION**

## ***SECTION 1.1 PURPOSE***

These service rules have been adopted by the governing body of the municipal utility. The rules are subject to change from time to time to ensure safe and efficient service in compliance with applicable laws and regulations.

## ***SECTION 1.2 APPLICABILITY***

These service rules are intended to broadly govern operation of the municipal gas utility. Where a rule cannot be reasonably applied to a specific situation, the governing body reserves the right to act in an adjudicative capacity to resolve such conflicts.

Rates and charges are not included in these operating rules. References to rates or charges and certain other terms and conditions of service "adopted by the governing body" refer to applicable resolutions or ordinances adopted by the utility's governing body.

Certain aspects of municipal utility operations are regulated, under state law, by the Iowa Utility Board (IUB). Unless a state law specifically provides for regulation of municipally owned utilities, regulatory authority of the IUB is limited to those statutes referenced in section 476.1B of the Code of Iowa. However, the IUB also serves as an inspection and enforcement agent for the Office of Pipeline Safety of the U.S. Department of Transportation, which exercises broad regulatory authority over the operation of gas utilities. In the event of a conflict between these service rules and applicable state or federal laws or regulations, the federal laws or regulations shall govern.

## ***SECTION 1.3 DEFINITIONS***

Unless another meaning is specifically indicated, when used in these rules:

- a. "Complaint" means a statement or question by anyone, whether a utility customer or not, alleging a wrong, grievance, injury, dissatisfaction, illegal action or procedure, dangerous condition or action, or utility obligation. The utility may require that complaints be in writing.
- b. "Customer" means any person, firm, association, or corporation, any agency of the federal, state or local government, or legal entity directly benefiting from gas service from the utility. In the case of a residence, customer also means other adult persons occupying the residence.
- c. "Delinquent or delinquency" means an account for which a service bill or service payment has not been paid in full on or before the last date for timely payment.
- d. "Gas" means manufactured gas, natural gas, other hydrocarbon gases, or any

mixture of gases produced, transmitted, distributed or furnished by the utility.

- e. "Governing body" means the board of trustees
- f. "Main" means a gas pipe, owned, operated, or maintained by the utility, which is used for the purpose of transmission or distribution of gas, but does not include the "service line".
- g. "Meter", without other qualification, means any device or instrument that measures a quantity of gas.
- h. "Pressure" is an expression of pounds per square inch above atmospheric pressure, i.e., gauge pressure, (abbreviated "psig").
- i. "Service Line" means a distribution line that transports gas from a common source of supply to a customer meter or the connection to a customer's piping, whichever is farther downstream, or the connection to a customer's piping if there is not a meter. A customer meter is the meter that measures the transfer of gas from the utility to a customer.
- j. "Timely Payment" is a payment on a customer's account made on or before the date shown on a current bill for service, or on a form which records an agreement between the customer and a utility for a series of partial payments to settle a delinquent account, as payment charge to the current bill or future collection efforts.
- k. "Utility" means the municipal gas utility.

## DIVISION TWO – SERVICE CHARACTERISTICS

### **SECTION 2.1 SERVICE**

To the extent practicable and subject to limits of gas supply, the utility shall provide gas service of a character determined by the utility to meet the needs of its customers. The standard gas service available to meet this need is gas having an approximate heating value of 1000 British thermal units (Btu) per cubic foot at a pressure approximately 4 ounces psig at the customers' piping. **In all standard service extensions (non –high pressure mains) located within the city limits (1/2” -1” piping), the utility shall furnish, own and maintain all facilities up to and including the meter. Customers will be charged a non-refundable tap fee for services under 300’ in length. Additional charge of \$1.00 per foot for service lengths over 300 feet.**

Other service connections, including service at higher pressures or high volume, are available at the option of the utility and may require a contribution in aid of construction or an advance for construction costs. Commercial service upgrades have been capped at \$6000. Extension policies, including charges and other terms and conditions, shall be established by the governing body. Where a customer contribution in aid of construction or an advance for construction costs is required, the governing body may waive such requirements in whole or in part upon a determination that the waiver is in the public interest. Such waiver, when entered in the minutes of the governing body, shall not be considered a discriminatory practice.

### **SECTION 2.2 ENGINEERING PRACTICE**

Facilities of the utility shall be constructed, installed, maintained and operated in accordance with accepted good engineering practice in the gas industry to assure -- as far as reasonably possible -- continuity of service and safety of people and property. However, the utility shall not be held liable in actions arising from interruptions in service.

#### 2.2(1) Standards of Accepted Good Practice

The utility shall use and shall require compliance with applicable provisions of the publications adopted by the IUB as standards for the design, construction, operation, and maintenance of the gas systems (199 IAC 19.5[2]):

- a. Code of Federal Regulations, Title 49, Part 191, “Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports.
- b. Code of Federal Regulations, Title 49, Part 192, “Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards.”
- c. Code of Federal Regulations, Title 49, Part 199, “Drugs and Alcohol Testing.”
- d. ASMEB31.8, “Gas Transmission and Distribution Piping Systems.”
- e. [NFPA No. 59](#) “Liquefied Petroleum Gases at Utility Gas Plants.”
- e.f. [At railroad crossings, 199 IAC 42.7\(476\)](#), “Engineering Standards for Pipelines.”

f.g. References to these publications shall be deemed to be to the latest edition or revision accepted by the Utilities Division of the Iowa Department of Commerce. (See 199 IAC 19.5).

#### 2.2(2) Guides for Acceptable Practice

The utility may use applicable provisions of the publications adopted by the Iowa Utilities Board as guides for accepted good practice for gas utilities (199 IAC 19.5[3]).

a. ANSI Z223.1/NFPA 54 “National Fuel Gas Code.”

a.b. NFPA 501A, “Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities.

#### 2.2(3) Other Standards

The utility shall use and shall require compliance with other applicable laws and regulations, including provisions of the City Code.

### ***SECTION 2.3 SPECIAL CONDITIONS OF SERVICE***

The customer shall be responsible for all gas piping and appliances on his or her premises. The installation and maintenance of customer facilities shall be consistent with standards imposed by these service rules and any other applicable laws or regulations.

No inspection or approval of a customer's compliance with this section by the utility or other agent of the city shall be construed to impose any duty or liability on the utility, but shall be considered solely for the purpose of ensuring protection of the utility's property and continuity of service to customers of the utility.

#### 2.3(1) Gas Appliances

Each gas appliance shall bear a nameplate showing the manufacturer's name and the seal of approval of either the American Gas Association or Underwriters Laboratories. Appliances without nameplate data must be approved in writing by the municipality prior to being connected to the gas system.

#### 2.3(2) Interconnection Prohibited

Separately metered gas piping shall not be interconnected.

#### 2.3(3) Energy Conservation Standards

As a condition of gas service for space heating or cooling, the owner or builder of any structure, completed after April 1, 1984, and intended primarily for human occupancy, must certify to the utility that the building conforms to the energy conservation requirements of the State Building Code [661 IAC 16.800(3) as amended by 16.800(4)]. If compliance is being certified to another state or local agency, a copy of the certification form may be provided to the utility. If no other certification is being made, the utility will provide a form.

## **SECTION 2.4 CLASS OF SERVICE FOR APPLICATION OF RATES**

Typically, the utility has either a residential or non residential service. Service classification shall be based upon the type of service supplied and on similarities in customer load and demand characteristics. Service classifications shall be defined as part of the rate schedules adopted by the governing body. In addition, the utility reserves the right to supply gas service in accordance with the provisions of a written contract. As nearly as practicable, rate schedules adopted by the utility shall reflect relative differences in the costs of providing various quantities of service to each customer class.

## **SECTION 2.5 METER INSTALLATION**

The utility shall install, own, and maintain a meter of a type appropriate to the nature of the service, for each service extension. Customers must allow access to read, repair, or replace metering. Existing metering shall not be enclosed (decks, garages, etc.) Meters shall not be required, however, where consumption can be readily computed without metering or where the service is of a temporary nature and the cost of meter installation would be unreasonable. A meter seal shall be placed on all meters such that the seal must be broken to gain entry.

### **2.5(1) Individual Metering**

Individual metering shall be required on multi-occupancy premises in which units are separately rented or owned, except that the utility may provide single meters for gas used: in central heating, cooling, water heating or ventilation systems; where individual metering is impractical; where a facility is designated for elderly or handicapped persons and utility costs constitute part of the operating cost and are not apportioned to individual tenants; or where sub-metering or resale of service was permitted prior to 1966.

### **2.5(2) Special Metering Installations**

The utility reserves the right, at its option, to require or place special meters or instruments on the premises of a customer for the purpose of special tests of all or part of the customer's load or equipment.

### **2.5(3) Meter Register**

Where it is necessary to apply a multiplier to the meter readings, the multiplier shall be marked on the face of the meter register or stenciled in weather resistant paint upon the front cover of the meter. Wherever practicable, customers shall have continuous visual access to meter registers.

### **2.5(4) Meter Testing**

All meters and associated devices shall be inspected, tested, adjusted, and certified to be within an allowable tolerance of error, in accordance with commonly accepted engineering practice.

## **DIVISION THREE – CUSTOMER RELATIONS**

### ***SECTION 3.1 APPLICATION FOR SERVICE***

Application for service shall be filed at the utility's business office. At the time of application, the applicant shall be given an opportunity to designate a person or agency to receive a copy of any notice to disconnect service due to the applicant's nonpayment of a bill or deposit. As soon as practicable after the approval of the application, the utility shall supply service to the applicant in accordance with these rules and at a rate established by the utility for the applicant's appropriate class of service.

#### **3.1 (1) Criteria for New Service**

If a delinquent amount is owed by an account holder for a utility service associated with a prior property or premises, a city utility, may withhold service from the same account holder at any new property or premises until such time as the account holder pays the delinquent amount owing on the account associated with the prior property or premises.

#### **3.1 (2) Criteria for New Service to an Indebted Household**

If a primary customer or other adult resident has an undisputed unpaid account for the same type and class of utility service, service will not be established until payment for the unpaid account is received or until an acceptable payment arrangement is entered for that account.

### ***SECTION 3.2 CUSTOMER DEPOSITS***

A deposit intended to guarantee payment of bills for service may be required prior to approval of the service application. In any case where a deposit has been refunded or is found to be inadequate, a new or additional deposit may be required upon twelve days written notice of the need for such deposit.

#### **3.2(1) Credit Criteria for Initial Deposits**

The requirements of an initial deposit shall be determined by application of the following criteria:

- a. No initial service deposit shall be required of an applicant: 1) who has previously established a credit history with the utility; 2) whose twelve most recent bills from the utility were timely paid whose new service is subject to the same rate classification as that for which the payment history was established. Reasonable proof of an equivalent recent payment history for similar service from another utility may be accepted by the utility.
- b. An initial service deposit not exceeding the highest monthly billing for service during the previous twelve month period shall be required of an applicant for service who does not meet the credit criteria of subparagraph "a" above.

### 3.2(2) Credit Criteria for New or Additional Deposits

A new or additional deposit may be required of a current customer whose initial deposit has been refunded or is found to be inadequate. The new or additional deposit shall ensure a total deposit equal to the highest monthly billing for service during the previous twelve month period and shall apply to customers who make three late payments in a twelve month period.

### 3.2(3) Deposit Calculation Criteria

In calculating customer deposits which may be based on the maximum estimated charge for a billing period, the amount shall be determined from the highest meter reading period of the previous year. The maximum level of consumption so determined, may be adjusted for reasonably determinate differences in the likely level of energy consumption, including: number of persons served, change in the type of nonresidential service; and, the installation or removal of energy conservation or alternative energy measures. Where the service connection was not previously metered, the maximum estimated charge shall be based on comparable existing service of the utility.

### 3.2(4) Interest on Deposits

No interest shall be paid on customer deposits.

### 3.2(5) Record of Deposits - Unclaimed Deposits

The utility shall maintain a record of all deposits. The record of each unclaimed deposit shall be maintained for a period of three years from the date service is terminated. During that period, the utility shall make a reasonable effort to return the deposit. Deposits remaining unclaimed one year after termination of service will be transferred to the state in accordance with Chapter 556, Code of Iowa.

### 3.2(6) Refund of Deposit

A deposit shall be refunded after twelve consecutive months of prompt payment. For refund purposes, the account shall be reviewed for prompt payment after twelve months of service following the making of the deposit and for each twelve-month interval terminating on the anniversary of the deposit. Upon termination of service, the deposit, less any unpaid utility bill of the customer, shall be reimbursed to the customer or other person who made the deposit.

## **SECTION 3.3 BILLING INFORMATION**

Customers shall be billed on a monthly basis according to the appropriate rate schedule for metered service received during the billing period. In addition, the bill will include charges for applicable purchased gas adjustments as well as special extension and service costs applicable to the billing period.

### 3.3(1) Billing Form

The following information shall be included on the billing form or made available to the customer at the utility's business office:

- a. The actual or estimated meter readings at the beginning and end of the billing period.
- b. The date of the meter readings.



- c. The number and kind of units metered.
- d. Reference to the applicable rate schedule.
- e. The account balance brought forward and amount of each net charge, and total amount currently due. In the case of prepayment meters, the amount of money collected shall be shown.
- f. The last date for timely payment shall be clearly shown and shall be not less than twenty days after the bill is rendered.
- g. A distinct marking to identify an estimated bill or meter reading.
- h. A distinct marking to identify a minimum bill.
- i. Any conversions from meter reading units to billing units or any other calculations to determine billing units from recording or other devices or any other factors such as sliding scale or automatic adjustments used in determining the bill.
- j. Any voluntary construction to a low-income heating assistance fund or the option to contribute to such a fund at the time of bill payment.
- k. At least once per year the customers shall be notified with the following statement, "If your complaint is related to service disconnection, safety, or renewable energy, and CMU does not resolve your complaint, you may request assistance from the Iowa Utility Board by calling 515-725-7321 or toll-free 1-877-565-4450, by writing to 1375 E. Court Avenue, Room 69, Des Moines, Iowa 50319-0069, or E-mail to customer@iub.iowa.gov.

### 3.3(2) When Payable -- Late Payment Penalty

A bill shall be due and payable when rendered and shall be considered delinquent after twenty days from the time it is rendered. A bill shall be considered rendered by the utility when deposited in the U.S. mail with postage prepaid or when delivered by the utility to the last known address of the party responsible for payment. Bill payments received by the utility on or after the delinquent date shall be for the gross amount stated on the bill which shall include a late payment penalty of 1.5% per month of the last due amount. Failure to receive a properly rendered bill shall not entitle the customer to relief from penalties for late payment. There are also service charges to cover the expense of the required posting of delinquent notices.

The date of delinquency for all residential customers and for other customers whose consumption is less than two hundred and fifty (250) ccf per month, shall be changeable for cause in writing.

### 3.3(3) Partial Payments

When a partial payment is made prior to the delinquent date and without designation as to the service being paid, the payment shall be credited pro rata between the bill for municipal utility services and related taxes. Payments for municipal services made during the winter disconnection moratorium maybe credited to services, other than gas, at the customers request.

### 3.3(4) Where Payable

Bills shall be paid by mail, by direct deposit through a financial institution, by deposit in a designated receptacle, in person at the utility's business office, or electronic payment.

### 3.3(5) Level Payment Plan (Budget Billing)

All residential customers or other customers whose consumption is less than two hundred fifty ccf per month may select a level payment plan. The plan shall:

- a. be offered when the customer initially requests service.
- b. have a date of delinquency changeable for cause in writing; such as, but not limited to, fifteen days from approximate date each month upon which income is received by the person responsible for payment.
- c. provide for entry into the level payment plan at any time during the calendar year.
- d. have level payments equal to the sum of estimated charges provided by the number of standard billing intervals, all for the next twelve consecutive months.
- f. carry forward any account credit or debit on the anniversary of the plan which shall be added to the estimated charges in determining the level payment amount for the next year. Unpaid level payments shall not be carried forward.
- g. have the level payment amount computed at the time of entry into the plan. It may be recomputed on each anniversary, when requested by the customer, or whenever price or consumption, alone or in combination result in a new estimate differing by ten percent or more from that in use. When a customer's payment level is recomputed, the customer shall be notified of the revised payment amount and the reason for the change. The notice shall accompany the bill prior to the bill affected by the revised payment amount.
- h. provide that the account be balanced upon termination of service or withdrawal from the plan.
- i. regardless of account balance, provide that a delinquent bill payment shall subject the customer to a late payment penalty on the level payment amount and to other procedures for collection and termination of service.

### 3.3(6) Reasonable Agreement to Pay

A residential customer who has been disconnected or is about to be disconnected due to inability to pay in full may be offered the opportunity to enter into a reasonable agreement to pay in accordance with applicable rules of the Iowa Utilities Board.

### 3.3(7) Minimum Bill

The minimum bill provided for in the rate schedule for each class of service will apply to any billing period during which the service remains connected and the minimum quantity of service is not used.

### 3.3(8) Temporary Disconnections

The utility may, upon reasonable notice by a customer, make temporary disconnections for the customer's convenience. The customer shall be required to pay a fee for such service in an amount to be determined by the governing body.

### 3.3 (9) Service Calls

The utility shall investigate leak calls and relight pilot lights extinguished as a result of pressure failure, without charge to the customer. The utility may also shut off or relight pilot lights at the customer's request at a rate determined by the governing body. In providing these services as a convenience to its customers, the utility, its employees, and/or the municipality offer no warranty, express or implied, as to the operating condition of customer piping and appliances. For other services, such as adjustments to customer piping and appliances, the customer shall be advised to contact a qualified gas plumber, appliance dealer, or contractor.

### 3.3(10) Customer Requested Meter Tests

The utility will periodically inspect and test meters in accordance with accepted engineering practice. In addition to regular testing, the customer may request a meter test, providing that such tests need not be made more frequently than once each eighteen months. The customer or the customer's representative may be present when the meter is tested and the results shall be reported to the customer within a reasonable time. If the meter is within the allowable tolerance, the customer shall be billed for the cost of the test in an amount established by the governing body.

### 3.3(11) Adjustment of Bill for Meter Error

Bills which are incorrect due to billing errors or faulty metering installation are to be adjusted as follows:

- a) Fast Metering. Whenever a metering installation is tested and found to have over registered more than two percent, the utility shall recalculate the bills for service.
  - 1) The bills for service shall be recalculated from the time at which the error first developed or occurred if that time can be definitely determined.
  - 2) If the time at which the error first developed or occurred cannot be definitely determined, it shall be assumed that the over registration has existed for the shortest time period calculated as one-half the time since the meter was installed or one-half the time elapsed since the last meter test unless:  
If the recalculated bills indicate that \$5 or more is due to an existing customer, or \$10 or more is due to a person who is no longer a customer of the utility, the utility shall refund the full amount of the calculated difference between the amount paid and the recalculated amount. Refunds shall be made to the two most recent customers who received service through the metering, installations during the time the error existed. In the case of a previous customer who is no longer a customer of the utility, a notice of the amount subject to refund shall be mailed to such previous customer at the last known address, and the utility shall, upon demand made within three months thereafter, refund the same. Refunds shall be completed within six months following the date of the metering installation test.
- b) Slow Metering. Whenever a meter is found to be more than two percent slow, the tariff may provide for a back billing the customer for the amount the test indicates

has been under charged for the period of inaccuracy. When the average error cannot be determined by test because of failure of part or all of the metering equipment, the tariff may provide for use of the registration of check metering installation, if any, or for estimating the quantity consumed based on available data. The customer must be advised of the failure and of the basis for the estimate of quantity billed.

- 1) The utility may not back bill due to under-registration unless a minimum back bill amount is specified in the tariff. The utility may not back bill due to under-registration unless a minimum back bill amount is specified for back billing. It shall not be less than, but may be greater than, \$5 for an existing customer or \$10 for a former customer. All recalculations resulting in an amount due equal or greater than the tariff specified minimum shall result in issuance of a back bill.
  - 2) The period for back billing shall not exceed the last six months the meter was in service unless otherwise ordered by the board.
  - 3) Back Billings shall be rendered no later than six months following the date of the metering installation test.
- c) Billing adjustments due to fast or slow meters shall be calculated on the basis that the meter should be 100 percent accurate. For the purpose of billing adjustment the meter error shall be one-half of the algebraic sum of the error at full-rated flow plus the error at check flow.
- d) When a customer has been overcharged as a result of incorrect reading of the meter, incorrect applications of the rate schedule, incorrect connection of the meter, or other similar reasons, the amount of the over charge shall be adjusted, refunded, or credited to the customer. The time period for which the utility is required to adjust, refund, or credit the customers bill shall not exceed five years.
- e) Undercharges. When a customer has been undercharged as a result of incorrect reading of the meter, incorrect application of the rate schedule, incorrect connection of the meter, or other similar reasons, the amount of the undercharge may be billed to the customer. The period for which the utility may adjust for the undercharge shall not exceed five years unless ordered by the board. The maximum back bill shall not exceed the dollar amount equivalent to the tariffed rate for the like charges (e.g., usage-based, fixed, or service charges) in the 12 months preceding discovery of the error.

### 3.3(12) Adjustment of Bill for Accidental Wastage of Gas

When a customer provides reasonable evidence to the utility that a leak, not resulting from customer negligence, has existed on the customer's side of the meter, the utility shall estimate the normal usage for each billing period during which the leak is reasonably believed to have existed, not to exceed two months. The bill for each such period shall be recomputed, treating the amount of above-normal gas consumption as "lost gas". Lost gas shall be billed at the lowest rate on the customer's rate schedule and the total difference will be credited to the customer's account.

### 3.3(13) Returned Checks

A service charge in an amount established by the governing body shall be assessed to any customer whose check is returned unpaid by the bank on which it was drawn. The service charge shall be in addition to the late payment penalty if the check

is not made good and the service fee not paid prior to the delinquent date of the bill. If two or more checks are dishonored within a six month period, the utility may require future payments to be by cash, cashier's check, postal money order or electronic transfer.

### **SECTION 3.4 DISCONNECTION OR DENIAL OF SERVICE**

The utility reserves the right to disconnect or deny service in accordance with applicable rules of the Iowa Utilities Board.

A reconnection fee in an amount established by the governing body shall be applicable when service has been disconnected pursuant to this section.

### **SECTION 3.5 CUSTOMER OBLIGATIONS**

Acceptance of service shall obligate a customer to the conditions imposed by these rules and applicable rules of the Iowa Utilities Board. Customers should note that other sections of these service rules prescribe standards of engineering practice and establish special conditions for the installation of piping and appliances.

#### **3.5(1) Damage to Utility Facilities**

The customer shall not use the equipment or structures of the utility for reasons other than those incident to normal service nor create a condition likely to interfere with the functions of such equipment and structures, without written consent of the utility. The customer shall be held responsible for his or her actions which cause damage to or loss of equipment or structures located on property occupied by the customer.

#### **3.5(2) Customer Premises**

The customer and owner shall grant the utility, without charge, right of way over and on the premises on which equipment and structures of the utility are located. Access to the equipment and structures shall be granted to the utility at reasonable times for installation, inspection, testing, repair, and other functions necessary for the maintenance of satisfactory service. Customers shall make the meter accessible without interference from pets and or physical barriers. If after written notice is given, the customer fails to provide for safe accessible access to the meter, remote metering will be installed at the customer's expense.

#### **3.5(3) Notice by Customer to Terminate Service**

A customer shall give the utility not less than three business days notice prior to final termination of service. Disconnection of service under this section shall be during the regular business hours of the utility.

### **SECTION 3.6 CUSTOMER COMPLAINTS**

Customers may be asked to submit complaints in writing, specifying the nature of the complaint and the relief sought. Complaints concerning the charges, practices, facilities or service of the utility shall be investigated promptly and thoroughly. A customer may appeal the findings of the investigation and shall be given reasonable opportunity for a full hearing of the matter before the governing body or hearing officer(s) appointed by the governing body.

Complaints involving policies or actions of the utility that are regulated by the Iowa Utilities Board may also be filed with the agency in accordance with applicable regulations.

**LIST OF ATTACHMENTS:**

- A. Resolution Adopting Service Rules***
- B. Copy of Current Rates***