



**Kittery Water District
Terms and Conditions**

Filed November 2011

Original Version


Office Hours: Monday – Friday: 7:30 a.m. – 4:00 p.m.

Telephone Number: 207-439-1128

PROPOSED EFFECTIVE: January 1, 2012

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DOCKET NUMBER 2011-438



Robert P. Wyman, Treasurer

Kittery Water District

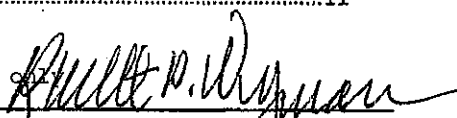
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The following Terms and Conditions made by the Kittery Water District and filed with the Maine Public Utilities Commission constitutes a contract between the Customer and the Utility. The Customer agrees to adhere to these Terms and Conditions and to take water only for purposes stated in the application and at the established rates.

DEFINITIONS

The word "Commission" refers to the Maine Public Utilities Commission.

The word "Utility" refers to the Kittery Water District.

The word "Customer" means any person, firm, corporation or governmental division who has applied for and is granted service or who is responsible for payment of the service.

The word "Main" means a water pipe, owned, operated and maintained by the Utility, which is used to transmit or distribute water but is not a water Service Line.

The terms "Service Pipe" and "Service Line" mean the pipe running from the Main to the premises of the Customer.

1. **UTILITY SERVICE AREA.** Pursuant to 1907 Private & Special Law, Chapter 424; as amended by 1909 Private & Special Law, Chapter 109 and by 1911 Private & Special Law, Chapter 2, approved February 14, 1911; the Utility is permitted to serve within the boundaries of the Towns of Kittery and Eliot, and portions of the Town of York and the inhabitants of the said Towns, as specified in the aforementioned Charters.
2. **APPLICATION FOR SERVICE.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, the owner or the owner's agent, or the occupant of the establishment to be served may apply for service on forms provided by the Utility. If seasonal rental property, only the property owner may be an applicant for service. Any tenant may become a Customer if the tenant assumes responsibility for future service under the conditions set forth in Title 35-A MRSA §706(2), Chapter 660 of the Commission's Rules and Regulations, and under Section 13 below. If a new service connection or other work on the establishment is required, the owner must authorize the Utility to enter the premises to do the necessary work.
3. **SEASONAL CUSTOMER.** A seasonal Customer regularly takes service for only a portion of the year from either a summer or year-round main. A seasonal Customer will be subject to the rules and charges of seasonal rates, if in effect, or of annual rates, if seasonal rates are not in effect. A Customer regularly vacating the premises for three months or less may elect in writing to be classified as an annual Customer subject to annual rules and charges.

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4. BILLING PROCEDURES. Minimum meter charges for annual metered service, and water used in excess of the minimum shall be billed quarterly in arrears at the end of the billing quarter. The Utility reserves the right to render bills monthly and/or in advance if it so desires.

Seasonal minimum meter charges will be billed immediately after the meter is set for the season. Bills for water used in excess of the minimum shall be billed immediately after the final reading for the season. The Utility reserves the right to render bills quarterly for minimum meter charges and/or for excess water used by seasonal Customers.

Public and private fire protection charges will be billed in arrears each year on an annual basis. The Utility reserves the right to bill semiannually or quarterly and/or in advance if it so desires.

Bills may be paid by any Utility-approved payment method, including but not limited to by mail or in person, and must be received at the offices of the Utility or at any designated collection station. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of its payment nor for the consequences of non-payment.

5. CREDIT AND COLLECTION PROCEDURES. All credit and collection procedures for both residential and nonresidential Customers will be based upon Chapters 660 and 870 of the Commission's Rules and Regulations. The Utility may demand a deposit from a Customer as permitted by Chapter 660. Pursuant to Chapter 870, the interest rate on Customer deposits will be the rate set from time to time by the Commission.

6. TERMS OF PAYMENT. Customers are legally obligated to pay for the services they receive. Bills are payable upon being issued. Failure of the Customer to receive his/her bill does not relieve him/her of the obligation of payment for services received nor for the consequences of non-payment. The due date for payment, in order to avoid the incurrence of late fees or the initiation of collection action, will be no less than 25 days after the bill is mailed or hand delivered. The late payment charge for overdue bills will be no more than the maximum amount allowed under Chapter 870 of the Commission's Rules and Regulations, to be determined annually.


7. CHARGE FOR RETURNED CHECKS. As provided in Chapter 870 of the Commission's Rules and Regulations, the Utility may charge the greater of \$5.00 per account to which the check is applied or the amount the bank charges the Utility, not to exceed \$15.00 for each check returned by a bank. If the Utility charges more than \$5.00, the Utility shall furnish the customer with proof of the bank charge.

8. COLLECTION TRIP FEE. If Utility personnel visit the Customer's premises to disconnect service for non-payment and in lieu of actual disconnection the Customer pays or makes a payment arrangement for the entire past due balance, the Utility will charge a collection fee of \$34.00, as permitted in Chapter 660 of the Commission's Rules and Regulations, due at the time of the visit.

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9. CHARGE FOR ESTABLISHMENT OF SERVICE. The Utility will not charge a fee to turn on water for a new Customer at an existing Service Line during the normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday. During holidays and other than normal business hours, the charge will be \$140.00 for the call out fee.

10. CHARGES FOR RESTORATION/RECONNECTION OF SERVICE, EXCLUDING RECONNECTION RESULTING FROM DISCONNECTION AT THE CUSTOMER'S REQUEST. The Utility will charge a Customer a reconnection fee for restoration of service at the Customer's premises, if service was disconnected for any reason allowable under Chapter 660 of the Commission's Rules and Regulations and/or under these Terms and Conditions, excluding for disconnection at the Customer's request. The reconnection charge will be \$54.00 during the normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday. During holidays and other than normal business hours, the charge will be \$140.00. The applicable restoration charge will be due in advance as a condition of service.

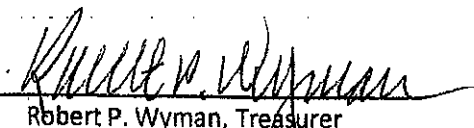
11. CHARGES FOR DISCONNECTION OF SERVICE AT CUSTOMER REQUEST AND/OR THE ASSOCIATED RESTORATION OF SERVICE. The following fee schedule specifies Customer charges for disconnection of service at the Customer's request, and the associated restoration of service:

- Disconnection and/or reconnection of service at the request of a Customer or contractor for the purposes of repair at the Customer's premises will be completed by the Utility at no charge to the Customer.
- Seasonal reconnection/disconnection of service for returning Customers, to restore service at the onset of the season and to close service at the season's end, will be completed by the Utility at a charge of \$20.00 per visit.
- Disconnection at the Customer's request for an emergency, after-hours call-out will be charged at the rates for other than normal business hours, listed above in Section 10 of these Terms and Conditions. In the event that during this call-out, the Utility repairs or replaces a damaged meter as defined in Section 27D, the call-out fee in this section will be waived to prevent a duplicate charge.
- Reconnection of service following disconnection at the Customer's request, for reasons other than those listed elsewhere, will be completed using the same fees as those described in Section 10 of these Terms and Conditions. There will be no charge for disconnection of service under these circumstances.

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12. CHARGES FOR REMOVAL OF SNOW, ICE, OR OTHER OBSTACLES DURING DISCONNECTIONS REQUESTED BY THE CUSTOMER. The Customer will be responsible for clearing snow, ice, or any obstacles to the shut-off valve and/or meter when requesting a disconnection. If the Customer does not fulfill this responsibility and the Utility must clear the area to perform the requested disconnection, the Utility may charge the Customer at the following rates: \$57.00 per man-hour during the normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday, plus a backhoe rental fee of \$35.00 per hour. During holidays and outside normal business hours, the charge will be \$65.00 per man-hour with a \$140.00 per man minimum charge, plus the backhoe rental fee as listed above.

13. DISCONNECTION OF LEASED OR RENTED PROPERTY. Before disconnecting a leased or rented residential property, the Utility shall comply with the notice requirements contained in Chapter 660 of the Commission's Rules and Regulations, and must offer the tenant the right to take responsibility for future payments.

Leased or Rented Single-meter, Multi-unit Residential Property: Pursuant to Chapter 660, in addition to the above, before disconnecting a leased or rented single-meter, multi-unit residential property, the Utility shall:

- a. Apply any existing deposit to the current account balance, and
- b. Assess, against the landlord, a collection fee of \$130.00 in addition to any applicable reconnection fee set forth in Section 10 of these Terms and Conditions.

At its discretion, the Utility may separately meter or cause to be separately metered, at the landlord's expense, each dwelling unit within the property.

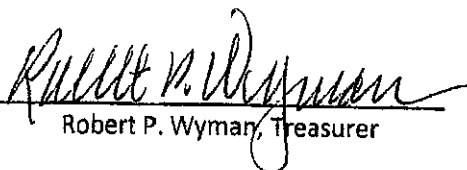
14. SERVICE INTERRUPTION. As specified in Chapter 660 of the Commission's Rules and Regulations, the Utility will provide reasonable notice of any planned shut-off to affected Customers. If the interruption is expected to last more than 5 hours or to affect more than 10 Customers or a single commercial Customer on a dedicated line, notice will be given at least twenty-four hours in advance of the interruption of service. The Utility will notify the Customers when practicable of the cause and duration of any unplanned shut-off. Pursuant to Chapter 620, if a Customer requests, the Utility will make a pro rata reduction in the Customer's minimum bill if service is interrupted for longer than forty-eight hours and the interruption is not due to negligence or improper care of equipment by the Customer.

15. ACCESS TO PREMISES. Pursuant to Chapter 620 of the Commission's Rules and Regulations, as a condition of service, Customers shall provide access for Utility employees with proper identification to all premises supplied with water, at all reasonable hours, to permit the inspection of plumbing and fixtures; to set, remove or read meters; to ascertain the amount of water used and manner of use; and to enforce these Terms and Conditions.

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16. **LIABILITY.** The Utility will only be liable for any damages arising from claims to the extent liability is expressly provided in the Maine Tort Claims Act, as set forth in Title 14 MRSA, Chapter 741. The Utility will not be responsible for any damages caused by discolored water, and makes no representations or warranties, expressed or implied, about the suitability of any water provided by the Utility for any particular purpose.

17. **CONSERVATION.** Pursuant to Chapter 620 of the Commission's Rules and Regulations, when necessary to conserve the water supply or in the event of an emergency, the Utility may restrict or prohibit waste or improper usage for all Customers, including but not limited to the use of hoses and lawn sprinklers. Under these conditions, the Utility will decide what constitutes waste and improper usage in order to protect the safety of the water system.


18. **UNAUTHORIZED USE OF WATER.** No Customer shall supply water to another nor use it for any purposes not mentioned in his/her application without Utility approval. No Customer or his agent shall obtain water from any hydrant or other fixture of the Utility without the previous consent of the Utility. No Customer or his agent shall bypass any meter, nor restore service without Utility authorization, nor unreasonably interfere with Utility service nor otherwise take action to prevent the proper metering of water consumed by the Customer. In the event of the discovery of such unauthorized use of water, the Customer shall be immediately disconnected, pursuant to Chapter 660. In addition, the Utility shall be entitled to bill and recover from the Customer or responsible person the cost of the estimated amount of water consumed, based on the Utility's approved rates, plus interest at an annual rate of 5%. Where the unauthorized use of water has occurred, the Utility may also assess the Customer or responsible person a fee of **\$54.00 per hour**, with a minimum of one hour, for each service visit to the Customer's premises necessary to investigate and address the unauthorized use of water, including removing the meter bypass, taking measures to prevent further diversion of water, and verifying that corrective measures have been taken and maintained. For service visits that occur during other than normal business hours, the fee will be **\$100.00**. In no case shall the total of all such hourly fees exceed **\$100.00**. In addition, pursuant to Title 35-A MRSA §2706 as amended or replaced, the Customer or person responsible for the unauthorized use may be liable in a civil action to the Utility for all other reasonable costs to the Utility, including attorney's fees, costs of undertaking and completing the investigation resulting in the determination of liability, and for a civil penalty not to exceed twenty five hundred dollars (\$2,500.00), due and payable to the Utility for each violation.

19. **NO TAMPERING WITH UTILITY PROPERTY.** No person may tamper with Utility property. No valve, valve sealing mechanism, meter, shutoff, hydrant or standpipe that is the property of the Utility shall be opened or closed or otherwise operated, modified, or removed by other than persons authorized by the Utility. Tampering will subject a Customer or other responsible party to the same charges and actions outlined in Section 18, entitled *Unauthorized Use of Water*. In addition, in the event of such tampering, the responsible party may be subject to a civil action, pursuant to Title 35-A MRSA §2707, as amended or replaced.

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20. MAINTENANCE OF PLUMBING. Pursuant to Chapter 620 of the Commission's Rules and Regulations, a Customer must maintain the plumbing and fixtures within his/her own premises in good repair and protect them from freezing or from heat damage. If damage does occur, the Customer is liable for any expenses incurred. A leak or break that is considered a threat to the integrity of the system will be cause for immediate disconnection of the Customer. If a leak is discovered that is not considered an immediate danger to the system, but may be a long term or cumulative danger, the Customer will be notified in writing by the Utility and will be given 30 days to repair the leak. If the repair is not completed by that time, the Customer will be subject to a fourteen-day disconnection notice, pursuant to Chapter 660.

21. CROSS CONNECTIONS. Pursuant to Chapter 620 of the Commission's Rules and Regulations, no cross connection between the public water supply system and any other supply will be allowed unless properly protected, based upon the Maine Cross Connection Control Rules and the Maine Internal Plumbing Code. No new cross connection may be installed without the express, written approval of the Utility. In addition, no connection will be permitted capable of causing back flow, including back siphonage or back pressure, between the public water supply system and any plumbing fixture, device or appliance, or between any waste outlet or pipe having direct connection to waste drains. If the owner of such a connection fails or refuses to break or properly protect the connection within a time limit specified by the Utility, the Utility may disconnect the service according to Chapter 660 of the Commission's Rules and Regulations. The Utility's Cross Connection Control Program is on file at the Utility office.

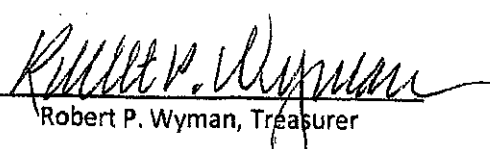
22. BACKFLOW-PREVENTION DEVICE TESTING. The Utility will test backflow prevention devices for the Town of Kittery-owned buildings at a charge of \$45.00 per device. Other Customers with testable backflow prevention devices will be responsible for completing device testing at their own expense according to the Utility provided schedule. The Customer must select a certified professional to comply with this requirement, and will pay the charges for the testing and for any necessary repairs directly to the contractor. Upon completion, the Customer must send the Utility a copy of each signed certified test by June 30th of each year. Customers who do not comply with testing requirements and/or do not make recommended repairs to their devices will be disconnected as a dangerous condition, pursuant to the Utility's Cross Connection Control Program and to Chapter 660 of the Commission's Rules and Regulations.

23. STOP VALVES. As permitted by Chapter 620 of the Commission's Rules and Regulations, every service must be provided with two operable stop valves located inside the building, easily accessible and protected from freezing, one near the service entrance before the meter and check valve, and one after the meter and check valve. All plumbing must be installed to comply with applicable plumbing codes, to prevent back-siphonage and to permit draining whenever necessary.

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24. FLUCTUATION OF PRESSURES BY CUSTOMER'S APPARATUS. Pursuant to Chapter 620 of the Commission's Rules and Regulations, Customers may not install or use any device that will affect the Utility's pressure or water quality without prior Utility written permission.

25. SAFEGUARDING DIRECT PRESSURE WATER DEVICES AND SYSTEMS SUPPLIED BY AUTOMATIC FEED VALVES. Pursuant to Chapter 620 of the Commission's Rules and Regulations, Customers must install vacuum, temperature and pressure relief valves or cutouts to prevent damage to a direct pressure water device or secondary system supplied by an automatic feed valve.

26. JOINT USE OF SERVICE PIPE TRENCH. Pursuant to Chapter 620 of the Commission's Rules and Regulations, normally, water Service Pipes will not be placed in the same trench with other Utility facilities. Where possible, a horizontal separation of ten feet will be provided. Where extenuating, unusual or special circumstances are encountered, a lesser separation of joint use of trench may be allowed if all parties agree, provided that the installation complies with all applicable laws, rules and regulations.

27. METERING AND NEW SERVICE LINE AND MAIN EXTENSION POLICIES.

A. Separate Metering of Buildings. No Customer shall supply water to another, nor use it for purposes not mentioned in his/her application without prior written Utility approval. At its discretion, the Utility reserves the right to require separate piping and a separate meter and shut-off for each building or trailer as a condition of service.

B. Metering of Multi-Unit Premises. Except as provided in Chapter 660 of the Commission's Rules and Regulations, where there is more than one occupant of a building supplied with water, the Utility may require the owner to arrange the plumbing to permit separate connections with shutoffs and meters in locations acceptable to the Utility for each place of business or abode. In the case of a condominium, each unit owner may be required to have a separate meter and shutoff in locations acceptable to the Utility.

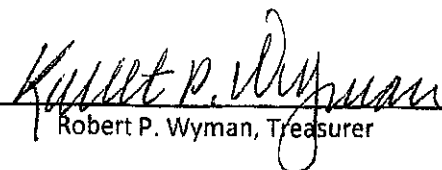
C. Submetering. Additional or auxiliary meters for showing subdivision of water use must be furnished, installed, read and maintained at the Customer's own expense.

D. Charges for Repair or Replacement of Damaged Water Meters and Other Utility Equipment. Pursuant to Chapter 620 of the Commission's Rules and Regulations, the Utility may charge a Customer for costs incurred for the repair or replacement of meter(s) or other Utility equipment damaged due to Customer negligence or improper care. During the normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday, the charge will be \$54.00 per hour with a minimum charge of one hour; during holidays and outside normal business hours, there will be 2-hour minimum charge of \$140.00, with each additional hour above the minimum charged at the rate of \$61.00. In all cases, the Customer will be charged for the cost of the necessary replacement parts, including the meter.

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27. METERING (continued).

E. Meter Pits. As permitted in Chapter 620 of the Commission's Rules and Regulations, the Utility reserves the right to require a meter pit at the Customer's expense under the following circumstances:

- The length of the Service Line from the curb-stop to the structure is more than 150 feet;
- The Customer does not provide a warm, dry and accessible basement for the meter and its appurtenances [meters will not be placed in crawl spaces, in living areas, or in structures with concrete slabs];
- The Service Line serves a mobile home;
- The Service Pipe between the curb-stop and the building has been constructed of materials that make leaks or catastrophic failure likely;
- A known Service Line leak remains unrepaired by the Customer; or
- A Customer has a history of tampering with the meter or unauthorized use of water or has attempted theft of services, materials, or equipment in any way.

The Utility shall specify the type and design of the meter pit and materials to be used, and will perform the meter pit installation. The Utility will provide this work during the normal business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday at a charge of \$53.00 per man hour of labor, plus the cost of equipment rental and materials required for the installation, including the cost of a meter, if a new installation.


F. Meter Testing. The Utility will test its water meters according to the schedule and standards in Chapter 620 of the Commission's Rules and Regulations. Upon Customer request, the Utility will test the Customer's water meter at no charge in the presence of the Customer or representative, unless the Customer requests more than one test in an 18-month period. If the Customer requests a test more frequently, the Utility may require the Customer to pay a deposit of \$59.00 to cover the cost of the test. If a meter tested at the Customer's request does not conform to standards, the Customer's deposit will be refunded and the Utility will adjust the Customer's bill according to the provisions of Chapter 620. If the meter conforms to standards, the Utility may keep the Customer's deposit and continue to use the meter at the Customer's premises.

G. Winter Construction. No new service or extension of Mains will be installed for the convenience of a Customer during winter conditions that increases the cost of the work for the Utility unless the Customer assumes all extra expense over ordinary construction costs.

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27. METERING (continued).

H. New Service Lines and Meters. As permitted in 35-A MRSA §6106, each applicant for a new water service will be responsible for the costs of the entire Service Line. Ownership and maintenance of the Service Line and meter after installation will be governed by Chapters 620 and 650 of the Commission's Rules and Regulations. The Customer will be responsible for obtaining the Utility's written approval for the work; plans requiring approval shall be submitted to the Utility office one week in advance of requested approval date.

The Customer must contract with a Utility-approved professional for the installation from the curb-stop into the building, excluding the installation of the meter and its appurtenances. All contractor charges shall be paid by the Customer directly to the contractor.

The Service Line location will be set or reviewed by the Utility, and must be installed to the Utility's standards and specifications, available at the Utility office. Only Utility approved materials may be used. The Utility reserves the right to inspect the materials and installation and must be notified before they are buried or enclosed. The initial inspection of contractor work shall be at no cost. If the Utility must reinspect, due to a lack of readiness by the Customer or the contractor or a lack of adherence to the standards and specifications, the Customer will be responsible for the cost(s) of the reinspection(s) at a charge of \$70.00 per visit.

The Utility will be responsible for installing the Service Line from the Main to the curb box shut-off, for tapping the Main, and for installing the meter and appurtenances during the regular business hours of 7:30 a.m. to 4:00 p.m., Monday through Friday. If a meter pit is required, it will be installed in compliance with the procedures detailed in Section 27E of these Terms and Conditions. At its discretion, the Utility may subcontract out any part of this work if it so desires.

The costs to the Customer for the Utility-provided or subcontracted labor, materials, and equipment rental for the Service Line installation will be calculated as follows:

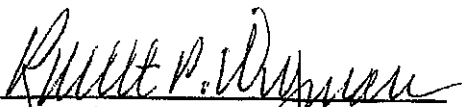
- A charge of \$53.00 per man-hour for the above described Utility work on the installation, including but not limited to all labor costs for opening and closing the pavement or boring across the road, if required.
- Costs of any and all Utility-provided materials, parts, and equipment, including but not limited to the cost of the meter and appurtenances, and costs for the road crossing, if applicable, including permits.
- Costs, as billed to the Utility, for subcontractors deemed necessary by the Utility.

A written estimate will be provided to the Customer for the Utility-provided work and materials, and a deposit equal to the estimate will be collected prior to the Utility performing the services. A final reconciliation of the job costs will be done upon completion. If applicable, the Utility will return any excess deposit at that time. If the actual cost exceeds the deposit, the Customer must pay the additional amount as a condition of service, as per the written agreement with the Utility.

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27. METERING (continued).

I. Extensions of Mains. All water Main extensions shall be installed at the Customers expense, as permitted in 35-A MRSA §6106. Procedures related to the application and installation, as well as ownership and maintenance of the Main after installation, shall be in compliance with Chapter 650 of the Commission's Rules and Regulations. The applicant must complete a Utility-provided application for the work and a financial agreement taking responsibility for all costs. The Utility reserves the right to preapprove the plan, which is required to be in the Utility office one week in advance of requested approval date.

The applicant will be responsible for contracting a Utility-approved professional for the entire installation, excluding the filling, flushing, chlorination, and testing of the Main, which will be performed by the Utility and billed to the contractor at a cost of **\$350.00**. The applicant shall pay the contractor directly for all charges. The installation must adhere to applicable plumbing codes and Utility work standards and material specifications, which will be provided to the applicant and the contractor. The contractor may also be required to purchase materials from the Utility if no alternative, reliable source is available that ensures compatibility with the Utility's pipe and equipment.

Prior to the initiation of work, the Utility will create a written estimate for the applicant detailing all Utility-provided services and materials, and a deposit equal to 100% of the estimate will be collected. A final reconciliation of the job costs will be done upon completion, and if applicable, the Utility will return any excess deposit at that time. If the actual cost exceeds the deposit, the applicant must pay the additional amount, as per the written agreement between the Utility and the applicant.

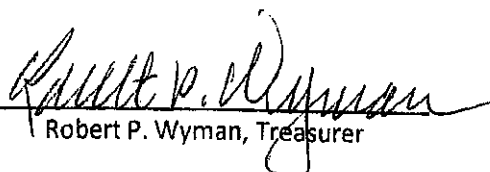
In order to manage and inspect the process, a Utility representative will be present during the installation at a cost to the applicant of **\$70.00** per hour. The Utility reserves the right to waive this cost if deemed appropriate. The Utility may stop the installation at any time, and require the work to be redone at the applicant's expense, if it discovers work irregularities or a lack of adherence to the preapproved plan or to the standards and specifications.

28. UTILITY JOBBING. A Customer must complete a written application before a Utility will provide unregulated Utility service. As permitted in Chapter 620 of the Commission's Rules and Regulations, a Customer must pay a deposit equal to the Utility's written estimate. Unless the work is done on a flat rate basis, the Utility will return any excess deposit upon completion. If the final cost exceeds the deposit, the Customer must pay the additional amount upon completion.

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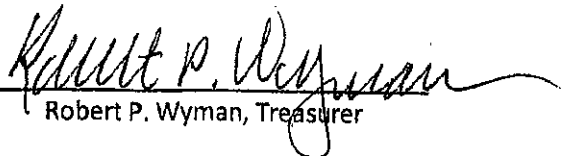
29. FIRE HYDRANTS. Fire hydrants may not be used for any purpose other than to extinguish fires unless prior permission is given by the Utility. In the event of fire extinguishment, the fire department will notify the Utility of hydrant use within a reasonable time of declaring the fire under control to allow for proper maintenance. Fire hydrants must not be opened by any person other than an agent of the Utility or a duly authorized representative of the municipality or the owner. The Utility reserves the right to be present for any opening of a fire hydrant other than for fire extinguishment, and must be given timely notice so a representative of the Utility can be available to witness the opening.

30. PRIVATE FIRE PROTECTION. Customers requiring private fire protection must contact the Utility to determine the availability of fire service at their location. If available, the fire service line will be installed at the Customer's expense within the bounds of the public way or right of way; after installation, the line will be owned and maintained in the public way or right of way by the Utility, as specified in Chapter 640 of the Commission's Rules and Regulations. The Utility does not guarantee any quantity of water or pressure available through a fire protection service. The owner of the service shall determine, from time to time, the adequacy of supply through the fire service by conducting tests of his private system. Timely notice must be given to the Utility so a representative of the Utility can be present to observe the test.

PROPOSED EFFECTIVE: 1/1/2012

EFFECTIVE: January 1, 2012

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Robert P. Wyman, Treasurer