

NARRAGANSETT BAY COMMISSION

CUSTOMER SERVICE’S RULES AND REGULATIONS

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ARTICLE 1 - PURPOSE AND AUTHORITY

These Rules and Regulations shall be referred to as Customer Service's Rules and Regulations. The Customer Service's Rules and Regulations are intended to ensure the proper billing, dispute resolution and collection of the sewer use fees of the Narragansett Bay Commission ("NBC").

The following Customer Service's Rules and Regulations are adopted by the NBC as provided by Title 46, Chapter 25, as amended, of the General Laws of 1980 of the State of Rhode Island creating and organizing the NBC.

In the event of future wastewater facility acquisitions and/or annexations to the NBC, the Customer Service's Rules and Regulations shall become incorporated by reference and binding thereon, and all previous customer service's Rules and Regulations of said facility shall be abolished.

ARTICLE 2 - APPLICABILITY

NBC is authorized, created and established as a public corporation of the State of Rhode Island, having a distinct legal and fiscal existence from State government, with powers as set forth in Title 46, Chapters 25, 25.1 & 25.2, as amended, of the General Laws of the State of Rhode Island for the purposes of acquiring, planning, constructing, extending, improving, operating and maintaining publicly owned sewage treatment facilities in the District as specifically defined therein. All users, whether directly or indirectly connected to the NBC's facilities, shall pay sewer use fees. Such fees shall include, but not be limited to, residential and non-residential consumption and fixed fees, pretreatment permit fees, connection permit fees, sewer back-up removal fees, septic tank waste discharge fees, surcharges and other miscellaneous fees, charges and assessments as may be approved in accordance with NBC's governing legislation. All sewer use fees shall be applicable throughout the entire District served by the NBC and shall be in accordance with rates and fees approved by the Public Utilities Commission pursuant to Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island.

ARTICLE 3 - DEFINITIONS

ACT or THE ACT shall refer to the Narragansett Bay Commission Act, Title 46, Chapters 25, 25.1 & 25.2, as amended.

AUTHORIZED EMPLOYEES or AGENTS OF THE COMMISSION shall mean a person whom by reason of his or her general position, contract or job description with the NBC has specific duties and responsibilities to perform on behalf of the NBC.

AUTHORIZED REPRESENTATIVE OF USER:

- A.** If the user is a corporation, authorized representative shall mean:
 - 1) the president, a vice-president, secretary, or treasurer of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
 - 2) the manager of one or more manufacturing, production or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- B.** If the user is a partnership, association, or sole proprietorship an authorized representative shall mean a general partner or the proprietor.
- C.** If the user is representing federal, state or local governments, or an agent thereof, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.
- D.** The individuals described in paragraphs A-C above may designate another authorized representative if said authorization is submitted to the NBC in writing and specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters of the company or governmental facility.

BIOCHEMICAL OXYGEN DEMAND (“BOD”) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) consecutive days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).

BIOLOGICALS shall mean preparations made from living organisms and their products, including vaccines, cultures, etc., intended for use in diagnosing, immunizing or treating humans or animals or in research pertaining thereto.

BUILDING DRAIN shall mean that part of the lowest horizontal piping within a building that carries water, wastewater or stormwater to a building sewer.

BUILDING SEWER shall mean the extension from the building drain to the public sewer, or other place of disposal. Also referred to as “house connection”.

CHEMICAL OXYGEN DEMAND (“COD”) is a measure of the amount of oxygen required to oxidize organic and oxidizable inorganic compounds in water.

COLOR shall refer to the optical density at the visual wavelength of maximum absorption, relative to distilled water, one hundred (100%) transmittance is equivalent to zero (0.0) optical density.

COMBINED SEWER shall mean a sewer intended to receive and convey both wastewater and surface runoff from storms.

DISCHARGE shall mean the introduction of water, wastewater and/or pollutants into the NBC’s facilities from any source.

DISTRICT OR NARRAGANSETT BAY DISTRICT shall be defined by Title 46, Chapter 25, as amended, of the Rhode Island General Laws.

DIRECT CONNECTION shall mean the connection of a building sewer directly to a sewer owned by the NBC.

EXECUTIVE DIRECTOR shall mean the Executive Director of the Narragansett Bay Commission or his or her designee.

FACILITY OR FACILITIES (See WASTEWATER FACILITIES definition).

GARBAGE shall include, but not be limited to, the wastes resulting from the handling, preparation, cooking and serving of food, and from the handling, storage, and sale of produce.

INDIRECT CONNECTION shall mean a building sewer connection that is not a direct connection; and whose wastewater discharge shall, notwithstanding the passage in its normal course through other sewers or conduits, ultimately discharge in whole or in part through NBC’s sewers.

MAY is permissive.

MEDICAL WASTE means any solid waste that is generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.

MUNICIPALITY shall mean any city, town, state authority or sewer district that discharges wastewater into the sewers owned by the NBC.

NARRAGANSETT BAY COMMISSION (“NBC”) for the purposes of these Rules and Regulations shall be construed to mean the Narragansett Bay Commission in its capacity as a public corporation or acting through its authorized employees and agents.

OWNER or OPERATOR shall mean any person who owns, leases, operates, controls or supervises a source.

PERSON shall mean any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, municipality, any local, state or Federal agency or any other legal entity, or their legal representatives, agents or assigns.

pH shall mean the logarithm (to the base 10) of the reciprocal of the hydrogen ion concentration in moles per liter (m/l) of solution. Neutral wastewaters are numerically equal to 7, the number increases to show increasing basicity and decreases to show acidity.

POLLUTANT shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemicals wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and agricultural and industrial waste which affect the characteristics of wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).

PRETREATMENT OR TREATMENT shall mean the reduction or elimination of pollutant properties in wastewater or their alteration to a less harmful state thereby rendering them less harmful to the facilities prior to or in lieu of discharging or introducing such pollutants into the NBC's facilities. The elimination, reduction or alteration can be accomplished by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40 CFR chapter 403.6(d).

PUBLIC UTILITIES COMMISSION ("PUC") shall mean a quasi-judicial tribunal as defined by the General Laws of Rhode Island, Title 39, Chapter 1, as amended.

SANITARY SEWER shall mean a sewer that is designed to carry liquid and water-carried wastes from residences, commercial buildings, industrial plants and institutions together with minor quantities of ground, storm and surface waters that are not discharged intentionally.

SEWAGE shall mean any combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions and governmental facilities that are discharged to the sewer.

SEPTAGE shall mean the liquid, solid and gaseous contents of a septic tank.

SEPTIC TANK shall mean an underground tank used for the disposal of wastes.

SEWER shall mean a pipe or conduit and other appurtenance provided to carry wastewater or stormwater.

SEWER USE FEE shall mean a charge levied on users for the availability and/or use of the wastewater treatment and collection system. Such fees shall include, but not be limited to, residential and non-residential consumption and fixed fees, pretreatment permit fees, connection permit fees, sewer back-up removal fees, septic tank waste discharge fees, surcharges and other

miscellaneous fees, charges and assessments as set by the NBC and approved by the PUC pursuant to Title 39, Chapters 1 & 3, as amended of the General Laws of Rhode Island.

SHALL is mandatory.

SLUDGE shall mean the solids, residues and precipitate separated from or created in wastewater by the unit processes of a publicly owned treatment works or pretreatment systems.

SOURCE shall mean any building, structure, facility or installation from which there is or may be the discharge of pollutants.

STORMWATER shall mean surface water and any other source of run-off. It is normally collected in sewers separate from the sanitary sewers and receives minimal, if any, treatment prior to discharge to receiving waters, except in the case of combined sewers, wherein it will receive treatment at the NBC facilities.

SURFACE WATER shall mean stormwater or other wash water or drainage carrying any pollutants that affect the characteristics of wastewater.

TOTAL SUSPENDED SOLIDS (“TSS”) shall mean (1) insoluble solids that either float on the surface or, are suspended in water, wastewater or other liquids; (2) solid organic or inorganic particles (colloidal, dispersed, coagulated, flocculated) physically held in suspension by agitation or flow or; (3) the quantity of material removed from wastewater in a laboratory test, as prescribed in “Standard Methods for the Examination of Water and Wastewater” and referred to as nonfilterable residue.

TURBIDITY shall mean a condition in water or wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays and determined by measurement of light diffraction, usually reported in arbitrary turbidity units.

USER means any person, firm, corporation, government or other entity that discharges, causes or permits the discharge of wastewater or stormwater into NBC’s facilities.

WASTEWATER shall mean all the spent water of a community. It may include, but not be limited to, a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions and governmental facilities whether treated or untreated together with any groundwater, surface water, and stormwater that may be present which are contributing to the NBC’s facilities.

WASTEWATER FACILITIES (“FACILITIES”) as used herein, shall mean the structures, equipment, and processes required for the collection, treatment and disposal of wastewater and sewage sludge that are owned and operated by the NBC.

The Definitions in this Article 3 are limited only to these Customer Service’s Rules and Regulations and not any other Rules and Regulations in existence or promulgated by the NBC in the future.

ARTICLE 4 - CONSUMPTION AND FIXED SEWER USE FEES

Consumption and fixed sewer use fees shall be assessed against the recorded owner of any property directly or indirectly connected to the NBC's facilities. This includes any property having a sewer system that may be served by a combination of both the public sewers and a private system (i.e., septic) where the sewer system is available to the structure by direct or indirect connection. Said owner shall be and is hereby deemed to be in control of such direct or indirect connection and is deemed to be a user, either actually or constructively, of the NBC's facilities

ARTICLE 5 - RESIDENTIAL CONSUMPTION SEWER USE FEES

The following types of users shall be classified as “residential sewer users” and assessed a consumption sewer user fee in accordance with rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island:

- A.** All structures containing six (6) residential dwelling units or less.
- B.** All residential condominiums regardless of the number of dwelling units per structure and/or meter.

ARTICLE 6 - NON-RESIDENTIAL CONSUMPTION SEWER USE FEES

All structures not classified as residential under Article 5 shall be classified as non-residential users and assessed consumption fees in accordance with rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island. The non-residential structures are classified as follows:

A. Commercial - shall include any structure conducting a service business. This shall include, but not be limited to:

- 1) Residential structures with greater than six (6) dwelling units;
- 2) Office buildings;
- 3) Mixed-use structures (i.e. combined residential/non-residential). Any residential structure containing a commercial use, such as a business or office, shall be considered a mixed structure and will be billed at the commercial rate;
- 4) Halfway houses and/or boarding type facilities where unrelated persons rent rooms;
- 5) Hospitals;
- 6) Laundromats;
- 7) Dry cleaners;
- 8) Restaurants;
- 9) Colleges and schools;
- 10) Hotels;
- 11) Nursing homes;
- 12) Retail and wholesale stores; or,
- 13) Other – any non-industrial or non-residential structure.

B. Industrial - shall include any structure: (1) engaging in the manufacture, processing or packaging of a product or component of a product or (2) the development, recovery or processing of natural resources. This shall include, but not be limited to:

- 1) Platers;
- 2) Metal fabricators;
- 3) Syrup, soup and wine canners or producers;
- 4) Meat packing facilities; or,
- 5) Mixed-use structures. Where an industrial use is combined with a commercial use it shall be billed at the commercial rate, for example where there is an office in a manufacturing plant.

The definitions of commercial and industrial as used herein are limited to the establishment of non-residential consumption sewer user fees.

ARTICLE 7 - FIXED FEE BASED SEWER USE FEES

Fixed fees shall be rendered to property owners in accordance with annual rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island:

- A. Residential** – Each dwelling unit of a structure shall be assessed a fixed fee per annum in accordance with rates approved by the PUC, regardless of whether or not each unit is occupied.
- B. Residential Well Customers**– Each dwelling unit of a structure shall be assessed a fixed fee per annum in accordance with rates approved by the PUC.
- C. Non-Residential** – Each structure shall be assessed a fixed fee based upon the size of each water meter(s) and/or output meter(s) in accordance with rates approved by the PUC.
- D. Vacant Property** – Vacant property shall be subject to fixed fees as noted in items A, B and C above until the NBC staff confirms that the water service has been terminated or a dwelling unit is uninhabitable (deemed to have no plumbing fixtures). It is the property owner's duty to notify NBC that the property is vacant or uninhabitable. Credit for non-usage, if any, shall be given from the date of NBC's inspection.

ARTICLE 8 - CONSUMPTION BASED SEWER USE FEES

Consumption based fees shall be rendered to property owners as usage data is made available by the public water supplier or any other metered water source in accordance with rates approved by the PUC.

8.1 Basis for Consumption Fees

Consumption fees shall be based upon of the volume of water *entering* the structure from a public water supply agency, private well, stormwater connection, steam facility or other source. The consumption rate provides for an automatic 15% reduction in water usage as consumed and not discharged to the NBC facilities. All water sources must be metered except for residential private wells that are billed a fixed fee for consumption. Where a property is not metered at the water source entering the structure, or where a property is metered at the water source entering the structure but there is a discharge meter, consumption fees shall be based upon the volume of metered wastewater *discharged* directly or indirectly into the NBC's facilities. The use fee rate for discharges from such properties will not be adjusted by 15%. No meter shall be installed or used without the approval of the NBC's Executive Director or his/her designee.

8.2 Estimated Bills

NBC receives its meter reads from the various public water suppliers. When actual water meter readings do not exist, accounts will receive an estimated bill based on previous usage. Any variance due to estimated reads will be corrected when an actual read is obtained. Estimated bills may result in a customer overpayment resulting in a credit or NBC under billings resulting in a catch-up bill.

8.3 Back Bills

Although a customer is indirectly or directly connected to the NBC's sewer system, there may be instances where the NBC is not billing such property. In such instances, the customer may be back billed for a three-year period for flat fees in effect for those service periods and for consumption fees in effect for those service periods based on the meter readings supplied by the public water supplier.

8.4 Surcharges

Surcharges shall be rendered to property owners in accordance with rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island.

ARTICLE 9 - USE FEE ABATEMENTS

9.1 Abatement Policy

The NBC has established a use fee abatement program whereby a property owner may apply for an adjustment to the water consumption used in the calculation of the consumption charge if they believe that more than fifteen per cent (15%) of the source water does not discharge into the sewer system. Abatements are granted for only that percentage of water *exceeding* the 15% allowance and are effective from the approval date forward (not retroactive to cover previous usage).

9.2 Abatement Application Procedure

The property owner is required to:

- a) Complete a Sewer Use Abatement Application form;
- b) Pay an application fee in accordance with rates approved by the PUC;
- c) Sign a Terms and Conditions Agreement with the understanding that violation of said Terms and Condition Agreement will result in the suspension of the abatement status;
- d) Reapply in order to reactivate such status if the abatement allowance is suspended for any reason;
- e) Obtain NBC approval prior to any abatement installation;
- f) Pay for all costs associated with meter installation and maintenance;
- g) Supply the NBC personnel with annual or quarterly (as defined in the Terms and Conditions Agreement) readings from all meters located on the property. If said readings are not supplied to the NBC, the abatement status will be suspended indefinitely; and,
- h) Provide meters that are reasonably accessible for inspection by NBC staff.

Sewer Use Fee Abatement Application forms and the associated Terms and Conditions Agreement will be provided by NBC's Customer Service upon request.

ARTICLE 10 - LEAKS

Adjustments for leaks may be granted where it has been determined that a property was billed for water that did not enter the sewer system during a specific time period. The customer shall contact the NBC within thirty (30) days of discovery of the leak and provide documentation from a licensed plumber supporting the occurrence and repair of the leak, along with a copy of the paid repair receipt. Said repairs must be completed within fifteen (15) days of notification to the NBC of said leak. The average usage for the property will be determined by meter readings obtained during subsequent site visits conducted by NBC staff. This average will be compared to the period in question, including seasonal considerations, to establish whether or not an adjustment is warranted. Customers seeking an adjustment must stay current on payment of all charges not in dispute.

ARTICLE 11 - METER TESTING AND FAILURES

A meter tests 100% if after testing it conforms to the American Waterworks Association's standards or any meter testing standard approved by the PUC pursuant to R.I. Gen. Laws §39-3-9, as amended. If a meter tests 100%, there shall be no adjustment to a customer's bill except where a bill has been estimated, in which case the bill will be adjusted on the meter read out.

11.1 Meter Repaired or Replaced

When a meter is removed for testing or repair and it does not test 100%, the bill shall be issued based upon the average daily rate of water consumption or discharge as shown by the meter for a ninety (90) day period after the meter has been returned to service and is in proper working order or after the meter is replaced. Any dispute of an estimated bill must be made within six (6) months of notification to the NBC that said failed meter has been repaired or replaced.

If a meter has not been returned to service or replaced within thirty (30) days the bill shall be issued based upon the average daily rate of water consumption or discharge for the previous two (2) year period. Failure of a customer to replace or repair a meter shall result in consumption bills based upon estimated readings until such time as the meter is repaired or replaced.

11.2 Dead Meter or Meter Unable to be Read

If a meter fails to register any flow at all (i.e., dead meter), or if a meter is unable to be read, and has been in this condition for more than ninety (90) days, the bill shall be issued based upon one or more of the following factors:

- 1) Estimated meter readings provided by the water supplier.
- 2) Estimated consumption that is comparable for a property of the same classification and occupancy.
- 3) After replacement of the meter, the average daily consumption or discharge as shown by the new meter for the ninety (90) day period following replacement, plus seasonal considerations.

ARTICLE 12 - PRETREATMENT FEES

The user shall be assessed pretreatment fees in accordance with rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island.

ARTICLE 13 - SEWER CONNECTION FEES

The Customer shall be assessed sewer connection fees in accordance with rates set by the NBC and approved by the PUC in accordance with Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island. Connection fees are payable at the time of application for a connection permit.

ARTICLE 14 - BACK-UP REMOVAL FEES

When NBC personnel clear a sewer blockage and where such blockage is determined to be a private sewer, a sewer back-up removal fee as approved by the PUC pursuant to Title 39, Chapters 1 & 3, as amended, of the General Laws of the State of Rhode Island shall be paid by the customer.

ARTICLE 15 - SEPTAGE FEES

Septage haulers shall establish a credit balance with NBC prior to arrival at the NBC's designated septage disposal facility and will pay the rates set by the NBC as approved by the PUC pursuant to Title 39, Chapters 1 & 3, as amended of the General Laws of the State of Rhode Island.

**ARTICLE 16 - OTHER SEWER USE FEES, INCLUDING MISCELLANEOUS FEES,
CHARGES, SURCHARGES AND ASSESSMENTS**

Users shall pay any other sewer use fees, including miscellaneous fees, charges, surcharges and assessments, not specifically mentioned in these Customer Service's Rules and Regulations as set by the NBC and approved by the PUC pursuant to Title 39, Chapters 1 & 3, as amended of the General Laws of the State of Rhode Island.

ARTICLE 17 - CLOSINGS

When a property that is either directly or indirectly connected to the NBC's facilities is sold, the NBC requires that a current water meter reading be provided to Customer Service at least two (2) business days prior to the sale. The NBC will not make any adjustments to the consumption due to the failure of the requesting party to provide accurate meter readings at the time of the closing request. The NBC will not become involved in any disputes arising from inaccurate meter readings or estimated consumption charges when readings are not provided and/or the meter is malfunctioning. The new owner is responsible for all charges that remain unpaid after the closing date.

ARTICLE 18 - DISPUTES

18.1 Dispute Procedure

If a customer believes that a specific charge on the sewer bill is incorrect, he/she must contact the NBC's Customer Service via telephone or in writing to dispute the charge. While a particular charge is in dispute, late charges will not accrue against the disputed transaction and the NBC will not attempt to collect that specific amount. The customer is required to pay the undisputed portion of the bill. The right to dispute a bill is personal to the person assessed and it is not assignable or transferable.

18.2 Appeals

If a customer is unable to resolve the dispute with the NBC, he/she may refer the matter to the PUC in accordance with the General Laws of Rhode Island, Title 39, Chapter 1, as amended, by telephone or in writing for dispute resolution. While a dispute is under consideration by a PUC Review Officer, the NBC will cease collection action to obtain payment for the disputed charge(s).

ARTICLE 19 - ADJUSTMENTS

Corrections to sewer user fees, whether debit or credit adjustments, shall be processed by the NBC no more than three (3) years from the date of the original billing transaction. Adjustments are corrections to inaccurate charges and are not restricted to any type of sewer use fee or use classification and shall be issued without bias in accordance with the rates and fees approved by the PUC. All corrections must be fully documented and are subject to NBC authorized approval prior to processing.

ARTICLE 20 - PAYMENT

20.1 Payment Terms

All sewer use fees shall be due and payable upon receipt, unless due earlier as provided in these Customer Service's Rules and Regulations or as approved by the PUC. Customers may make payment via cash, personal check, bank check, credit card, money order or by any other method approved by Customer Service. There will be a fee as approved by the PUC applied directly to the customer's account for returned checks. Customers who wish to pay in person may do so at the NBC's Customer Service Office or they may pay in full at the financial institution listed on the back of the NBC bill. Sewer use fees not paid within thirty (30) days after issuance of the bill shall be deemed to be overdue and delinquent. All delinquent bills shall be subject to a late charge in accordance with a rate approved by the PUC pursuant to General Laws of the State of Rhode Island, Title 39, Chapters 1 & 3, as amended.

20.2 Payment Plans

If a customer is unable to pay the sewer bill by the due date, he/she may contact Customer Service and request payment arrangements. The standard budget terms are fifty percent (50%) to be paid immediately with the balance payable in thirty (30) days or in two equal monthly installments. Current charges and late charges must be paid in addition to the budget amount. Management may approve longer budget terms.

ARTICLE 21 - SEWER USE FEE LIENS, WATER TERMINATION AND COLLECTION ACTIONS

All overdue sewer use fees shall be a lien upon the real estate of said user. All such sewer use fees not paid shall be subject to collection procedures in accordance with R.I. Gen. Laws §§ 46-25-22 and 22.1, as amended. Collection action may include, but is not limited to, termination of water service and/or sale of property lien at public auction. The customer shall be responsible for any court costs and any other collection fees or costs, plus attorneys' fees incurred by the NBC in any collection proceeding initiated in order to collect outstanding fees, charges and assessments owed.

ARTICLE 22 - MAINTENANCE AND REPAIR

Where a property utilizes a meter that is not provided by a public water supplier, the property owner shall be responsible for all costs associated with the meter installation, calibration, maintenance and repair.

ARTICLE 23 - TITLING OF ACCOUNTS

All consumption accounts will be titled in the name of the recorded property owner. All pretreatment accounts shall be in the name of the user.

ARTICLE 24 - INTERPRETATION OF REQUIREMENTS

24.1 Construction

The provisions of these Customer Service's Rules and Regulations with respect to the meaning of technical terms and phrases shall be interpreted and administered by the Executive Director.

24.2 Captions

Captions and headings are for reference only and shall not limit or otherwise affect the meaning of the paragraphs thereunder.

24.3 Severability

If any provision of these Customer Service's Rules and Regulations or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the remainder of the Customer Service's Rules and Regulations shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections shall not affect the validity of the remainder of these Customer Service Rules and Regulations.

ARTICLE 25 - AMENDMENT TO RULES AND REGULATIONS

The Customer Service's Rules and Regulations set down herein may be amended, from time to time, as may in the opinion of the NBC be necessary. Whenever the NBC shall amend any such Customer Service's Rules and Regulations, it shall do so and give any required notice of such amendment in accordance with the procedures outlined in R.I. Gen. Laws §42-35-1 and §46-25-1 et seq., as amended.

ARTICLE 26 - ADOPTION

26.1 Effective Date

The Customer Service's Rules and Regulations shall be in full force and effect from and after their adoption and publication as required by law.

26.2 History

Article 13 – Sewer User Fees was adopted and approved by the Commission in August of 1987 and most recently amended and effective February 1, 1995. The Customer Service's Rules and Regulations, replacing Article 13-Sewer User Fees, were adopted and approved by the Commission on February 12, 2004.