
Rules of Department of Economic Development

Division 240—Public Service Commission

Chapter 60—Standards of Service by Sewer Utilities

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 60—Standards of Service by Sewer Utilities

4 CSR 240-60.010 General Provision

PURPOSE: This rule sets forth the general provisions of and defines the terms used in chapter 60, Standards of Service by Sewer Utilities.

(1) The chapter applies to all sewer service by sewer corporations, as defined in section 386.020, RSMo (1986) and is to become effective March 2, 1973. All previous rules or standards conflicting with those contained in chapter 60 are annulled and superseded. The rules apply to any sewer corporation which is now or may become engaged in the business of furnishing sewer service to any customer within the state of Missouri.

(2) The adoption of the rules in chapter 60 shall in no way preclude the Public Service Commission from altering, amending or revoking them in whole or in part or from requiring any other or additional service equipment, facility or standard, either upon complaint, upon its own motion or upon the application of any utility.

(3) The following definitions shall apply to this chapter:

(A) Commission—The Public Service Commission of Missouri;

(B) Customer—Any person, individual, partnership, association, corporation or governmental agency being provided with sewage disposal service by a utility;

(C) Outfall sewer line—Sewers, either force or gravity, carrying effluent from treatment facility to point of discharge;

(D) Collecting sewers—Sewers, including force lines, gravity sewers, interceptors, laterals, trunk sewers, manholes, lampholes and necessary appurtenances, including service wyes;

(E) Service sewers to customers—Any sewer pipe extending from the customer's residence or other structure to the utility's collecting sewer, but excluding service wyes;

(F) Lift station—That portion of the sewerage system which is used to lift the sewage to a higher elevation;

(G) Premises—A tract of land or real estate, including buildings and other appurtenances thereon, belonging to the customer;

(H) Sewage—Sewage shall mean ground garbage, human and animal excretions and all other liquid waste normally disposed of by

a residential, commercial or industrial establishment, through the sanitary sewer system;

(I) Sewer system—Includes all pipes, pumps, canals, lagoons, plants, structures and appliances and all other real estate, fixtures and personal property, owned, operated, controlled or managed in connection with or to facilitate the collection, carriage, treatment and disposal of sewage for municipal, domestic or other beneficial or necessary purpose;

(J) Sewer utility—Includes every corporation, company, association, joint stock company or association, partnership or person, their lessees, trustees or receivers appointed by any court, owning, operating, controlling or managing any sewer system, plant or property, for the collection, carriage, treatment or disposal of sewage anywhere within the state for gain; provided, that the provisions of this order shall not apply to sewer systems with fewer than twenty-five (25) outlets;

(K) Outlet—A service sewer connection to the collecting sewer;

(L) Treatment facility—A facility to treat sewage; and

(M) Sewer service—Removal and treatment of sewage.

(4) Each utility shall investigate promptly and thoroughly any complaint concerning its charges, practices, facilities or service. The utility shall maintain a file of customer complaints received on the service it provides. The file shall include the name and address, as well as the nature of the complaint and date of occurrence. A detailed explanation of what the utility did to correct the trouble which originated the complaint shall be recorded. The file shall be open to inspection of the commission or its staff during regular working hours and copies will be furnished the commission if requested.

(5) Unless otherwise specified by the commission, all records required by this chapter shall be preserved for two (2) years. Each utility shall notify the commission of the location at which it keeps the various classes of records required by these rules, if outside the state of Missouri. Each utility shall also maintain up-to-date maps, plans or records of its entire sewer system, with such other information as may be necessary to enable the utility to advise prospective customers and others entitled to the information, as to the facilities available for serving any locality.

(6) Each utility shall file with the commission the name, title, address and telephone number of the person who should be contacted in connection with general management duties; customer relations (complaints); engineering operations; and emergencies during nonoffice

hours. The commission shall be notified promptly of any changes which the utility may make in these contacts.

(7) A utility shall attempt to give advance notice to the customers before making smoke tests on sewers, indicating the date and approximate hour.

Auth: sections 386.310.(1) and 393.140.(11), RSMo (1986). Original rule filed Feb. 23, 1973, effective March 2, 1973.

4 CSR 240-60.020 Engineering and Maintenance

PURPOSE: This rule prescribes the design, operation and maintenance of sewer systems.

(1) Each sewer utility shall maintain and operate a sewage treatment facility of adequate capacity and properly equipped to treat the sewage and discharge effluent of the quality required by the laws of the state of Missouri and in other respects shall comply with the laws and regulations of the state and local health authority.

(2) The design and construction of a utility's system of sewers, treatment facility and all additions and modifications shall conform to the requirements prescribed by law except that any rule contained in this chapter shall apply which is more stringent than those prescribed by the Clean Water Commission.

(3) The sewer utility shall make reasonable efforts to eliminate or prevent the entry of surface or ground water into its sanitary sewer system. It may request assistance from the appropriate state, county or municipal authorities, but such a request does not relieve the sewer utility of its responsibility to prevent the entry of such surface or ground water.

(4) Routine inspections shall be made by the utility of stream crossings where special construction is required at least on six (6)-month intervals and more often if necessary, depending upon the amount of rainfall.

(5) Except where special circumstances make it necessary, the utility shall not accept or allow manholes that are covered with earth or other material that prevents the normal removal of the manhole lid. If an existing manhole is covered with earth or other material, the earth or material shall be removed as soon as is reasonably possible.



(6) All construction of sewers and appurtenances shall be inspected by the utility, or its authorized agent, to assure that they are constructed in accordance with approved plans and specifications and shall not be accepted until the construction complies with the plans and specifications. As-built plans and specifications shall be retained by the utility as a permanent record. All construction by other than company employees shall be done by a qualified contractor and materials and workmanship shall be guaranteed by appropriate parties for one (1) year subsequent to the date of acceptance.

(7) Service sewers to customers shall be connected to the collecting sewers by use of an approved wye or saddle. The same construction requirements which are used for collecting sewers shall be used for the construction of service sewers, except for pipe size.

(8) Unless otherwise authorized in writing by the commission, the utility shall make inspections of collecting sewers and manholes on a scheduled basis at intervals not to exceed one (1) year, unless conditions warrant more frequent inspections. It shall make inspections of all mechanical equipment on a daily basis. The utility shall maintain a record of findings and corrective actions required and/or taken, by location and date, that result from such inspections.

Auth: sections 386.310.(1) and 393.140.(11), RSMo (1986). Original rule filed Feb. 23, 1973, effective March 2, 1973.

4 CSR 240-60.030 Tariff Schedules

PURPOSE: This rule prescribes the form, contents and procedures for filing tariff schedules by all sewer corporations under the jurisdiction of the Public Service Commission.

(1) Each sewer utility shall have on file with this commission a tariff schedule and all forms of contracts and agreements of whatever nature made by such sewer utility for each and every kind of service which it renders. For purposes of this rule the term tariff schedule shall include: schedules showing all rates and charges; all rules relating to rates, charges of service; all general privileges granted or allowed; and all maps of the area served or professed to be served and the legal description thereof.

(2) All tariff schedules now on file with the commission, not in accordance with this rule, shall be reissued in the form and manner prescribed and all tariff schedules issued after March 2, 1973 must conform to this rule.

(3) Tariff schedules shall be drawn up substantially in accordance with this commission's Form No. 13 and shall be plainly printed or typewritten on good quality of paper of eight and one-half inches by eleven inches (8 1/2" x 11") in book, sheet or pamphlet form. A loose-leaf plan may be used so changes can be made by reprinting and inserting a single leaf. When the loose-leaf plan is used, all sheets, except the title page sheet, must show in the marginal space at top of page the name of the sewer utility issuing, the P.S.C. number of schedule and the number of the page. In the marginal space at bottom of sheet shall be shown the date of issue, the effective date and the name, title and address of the officer by whom the schedule is issued. All tariff schedules shall bear a number with the prefix P.S.C. Mo. No. _____. Tariff schedules for each sewer utility shall be numbered in consecutive serial order beginning with number 1. If a tariff schedule or part thereof is canceled, a new schedule or part thereof (sheet(s) if loose-leaf) will refer to the schedule canceled, by its P.S.C. number; thus, the P.S.C. Mo. No. _____ canceling P.S.C. Mo. No. _____.

(4) Each schedule shall be accompanied by a letter of transmittal in duplicate in substantially the following form:

LETTER OF TRANSMITTAL

(Name and address of sewer utility)

(Date) _____

To the Public Service Commission, State of Missouri, Jefferson City:

The accompanying schedule issued by the _____ is sent to you for filing in compliance with the requirements of the Public Service Commission Law:

P.S.C. Mo. No. _____

(List of sheets transmitted by sheet number)

(Brief description of purpose of filing)

Requested effective date _____, 19 _____.

(5) Each sewer utility shall keep a copy of its tariff schedule open for public inspection and readily accessible to any member of the public upon demand during business hours at its principal operating office and in each division office which is now or may be established. Any proposed changes in the tariff schedule shall

be readily accessible to any member of the public upon demand in the offices of the sewer utility for a period of thirty (30) days prior to the effective date of such change. If, for good cause shown, the commission allows a change without thirty (30) days' notice, the sewer utility shall display such proposed change at its office for the period prescribed by the commission prior to the effective date of the change.

(6) The following shall apply to all sewer utilities operating in the state of Missouri and each utility shall have on file as a part of its tariff schedule, rules which substantially conform thereto:

(A) Each sewer utility shall have on file with the commission rules relating to advance payments and deposits. If a utility requires advance payments for sewer service, it will not be permitted to require the customer to make a deposit to insure payment of bills. If the utility does not require advance payments for sewer service, it may require from any customer at any time a cash deposit, provided that the amount of any such deposit so required shall not exceed the amount due for service for one (1) billing period plus thirty (30) days;

(B) Interest at the rate of six percent (6%) per annum covering the period of the deposit shall be paid by the utility to the customer or applied to the customer's account, upon return of any deposit to the customer or the application of such deposit to the customer's account; provided the cash deposit remains with the utility for a period of at least twelve (12) months;

(C) These provisions shall not apply to any deposits or guarantees made by the customer for the purpose of securing an extension of or additions to a utility's collecting system in accordance with the utility's rules covering the extensions as filed with this commission;

(D) Interest shall not accrue on any cash deposit after the date the utility has made a bona fide effort to return such deposit to the depositor. The utility shall keep in its records evidence of its effort to return such deposit;

(E) Each utility shall issue to every customer from whom a deposit is received, a nonassignable receipt;

(F) Each utility shall maintain accurate records of customer deposits which include the original amount, the date of the deposit and any transaction relating to the deposit or interest on the deposit; and

(G) If a customer requests discontinuance of sewer service to the premises, the utility will refund the unearned portion of any advance payment on a pro rata basis, provided the customer has given proper notice to the utility as required by its rules on file with the Public Service Commission.

(7) Each sewer utility shall file with the commission a sample of each type of customer bill form used by the utility, which shall provide for inclusion of the gross and/or net amount of the bill and the date by which the customer must pay the bill in order to benefit from any discount or to avoid any penalty. The utility shall specify its billing period, which shall in no case exceed a period of six (6) months.

(8) Each utility shall specify the conditions under which it may discontinue service to a customer, which conditions may include, but not necessarily be limited to, nonpayment for services rendered in accordance with the tariff schedule on file for the utility with this commission and noncompliance with the utility's rules filed with the commission.

(9) Each utility shall include in its rules that prior to physical discontinuance of service, the utility will mail at least thirty (30) days' written notice to the customers by certified mail return receipt requested and a copy of the written notice will be forwarded to this commission. The written notice shall state the violation and service may be discontinued at any time after the expiration of the specified period, provided satisfactory arrangements for continuance of the service have not been made. The requirement of a thirty (30)-day written notice prior to discontinuance of service may be waived where discharge of materials which might be detrimental to the public health and safety or cause damage to the sewer system of the utility are discovered. In the event of discontinuance of service for this reason, the customer and the commission shall be notified of such discontinuance immediately with a statement concerning the reasons for discontinuance.

(10) Each sewer utility shall include in its tariff schedule a statement of the practices and policies of the utility governing extension of its collecting system to provide service to prospective customers.

(11) Each utility shall specify the conditions under which it may refuse to provide service to an applicant, which conditions may include, but shall not be necessarily limited to, noncompliance with the utility's rules as filed with this commission, rules of this commission or local governmental regulations. If the utility refuses to serve an applicant under the provisions of this rule or any other rule, the utility shall inform the applicant in writing of the basis for its refusal and the applicant may appeal to the commission for a ruling.

(12) The utility shall physically inspect all service sewer connections to its system. The applicant for service shall provide adequate advance notice to the utility to facilitate the inspection.

(13) Each sewer utility shall also have on file as a part of its tariff schedule, rules applicable to, but not limited to, the following items: applications for service; availability of service; interruption of service; and right of access to customer's premises.

(14) All proposed changes in rates, charges or rentals or in rules that affect rates, charges or rentals filed with the commission shall be accompanied by a brief summary, approximately one hundred (100) words or less, of the effect of the change on the company's customers. A copy of any proposed change and summary shall also be served on the public counsel and be available for public inspection and reproduction during regular office hours at the general business office of the utility.

(15) Thirty (30) days' notice to the commission is required as to every publication relating to sewer rates or service except where publications are made effective on less than statutory notice by permission, regulation or requirement of the commission.

(16) Except as is otherwise provided, no schedule or supplement will be accepted for filing unless it is delivered to the commission free from all charges or claims for postage, the full thirty (30) days required by law before the date upon which such schedule or supplement is stated to be effective. No consideration will be given to or for the time during which a schedule or supplement may be held by the post office authorities because of insufficient postage. When a schedule or a supplement is issued and as to which the commission is not given the statutory notice, it is as if it had not been issued and a full statutory notice must be given of any reissuance. No consideration will be given to telegraphic notices in computing the thirty (30) days' notice required. In such cases the schedule will be returned to the sender and correction of the neglect or omission cannot be made which takes into account any time elapsing between the date upon which the schedule or supplement was received and the date of the attempted correction. For rate schedules and supplements issued on short notice under special permission of the commission, literal compliance with the requirements for notice named in any order, regulation or permission granted by the commission will be exacted.

Auth: section 393.140.(11), RSMo (1986). Original rule filed Feb. 23, 1973, effective March 2, 1973. Amended: Filed May 16, 1977, effective Dec. 11, 1977. Amended: Filed May 29, 1986, effective Oct. 27, 1986.

4 CSR 240-60.040 Safety Program

PURPOSE: This rule prescribes safety measures and the procedures for reporting accidents.

(1) Each utility shall adopt and execute a safety program, a copy of which shall be filed with the director of utilities of the Public Service Commission.

(2) Each sewer utility shall—

(A) Require its employees to use suitable tools and equipment in order that they may perform their work in a safe manner;

(B) Require its employees to use safe practices in performing their work;

(C) Permit and require that each sewer and sewage treatment plant maintenance employee be trained with regard to good safety practices as related to the performance of his/her duties;

(D) Exercise reasonable care to reduce the hazards to which its employees, its customers and the general public may be subjected;

(E) Give reasonable assistance to the commission in the investigation of the cause of accidents and in the determination of suitable means of preventing accidents; and

(F) Maintain a summary of all reported accidents arising from its operations.

(3) Each sewer utility, as soon as reasonably possible, shall notify designated commission personnel by telephone of all accidents or incidents in connection with its system within its certificated areas, which result in the loss of life, personal injury requiring hospitalization or in property damage of at least one thousand dollars (\$1000) except as to misuse or malfunction of customer facilities. Within thirty-six (36) hours of the accidents or incidents the sewer utility shall complete in writing and submit to the commission an authorized commission notification form pertaining to the accidents or incidents (Notification form P.S.C.-S-1). Within sixty (60) days of the accidents or incidents, the sewer utility shall complete in writing and submit to the commission an authorized commission report form pertaining to the accidents or incidents (Report form P.S.C.-S-2).



*Auth: section 386.310, RSMo (1986).
Original rule filed Feb. 23, 1973, effective
March 2, 1973.*