

## TO BE RESCINDED

4901:1-15-33

**Subsequent connections, service connections, and tap-ins.**

- (A) If and when at any time during the term of a main extension agreement involving refundable advances in aid of construction pursuant to rule 4901:1-15-32 of the Administrative Code, the owner (hereafter referred to as the subsequent applicant) of any lot abutting the main extension, who is not a party to the main extension agreement, requests service; the waterworks company and/or sewage disposal system company shall collect in advance from each such subsequent applicant funds equal to the total foot frontage of the lot to receive service multiplied by the per-foot frontage charge.
- (1) The per-foot frontage charge shall be determined by dividing the total refundable amount of the advance in aid of construction by the total foot frontage of the lots capable of receiving service from the extension.
  - (2) In the event that the total of the amount already refunded under paragraph (K) of rule 4901:1-15-32 of the Administrative Code, plus the subsequent applicant's fee calculated under paragraph (A) of this rule exceeds the total refundable amount of the advance in aid of construction; the amount collected from the subsequent applicant shall be the difference between the total refundable amount of the advance in aid of construction and the cumulative amount refunded under paragraph (K) of rule 4901:1-15-32 of the Administrative Code.
  - (3) The waterworks and/or sewage disposal system company shall refund money collected pursuant to this paragraph, to the parties to the main extension agreement, or to their assignees or other successors in interest where the company has received notice of such assignment or succession in proportion to their original deposits. This refund shall be in addition to that provided for in paragraph (K) of rule 4901:1-15-32 of the Administrative Code.
  - (4) The waterworks company and/or sewage disposal system company shall enter into a written agreement with the subsequent applicant.
  - (5) Refunds of subsequent applicant fees made pursuant to this rule shall be made in accordance with this method. The waterworks company and/or sewage disposal system company shall pay each year to the subsequent applicant, or to that party's assignees or other successors in interest where the company has received notice of such assignment or succession, an amount equal to twenty per cent of the total gross annual revenue from water or sewage service to each bona fide subsequent applicant whose service line is connected to main or extension lines covered by the main extension agreement. Refunds will terminate when the entire amount of the subsequent applicant's fee has been

refunded or when the cumulative amount refunded pursuant to paragraph (K) of rule 4901:1-15-32 of the Administrative Code equals the refundable amount of the advance in aid of construction, or until fifteen years after the date of the main extension agreement, whichever is earliest. Agreements under this rule may provide that any unrefunded balance remaining at the end of the fifteen-year period shall still remain payable, in whole or in part, and in such manner as is set forth in the agreement. A balance remaining at the end of the fifteen-year period shall otherwise become nonrefundable.

- (B) Tariffs of waterworks companies and/or sewage disposal system companies may include provisions governing charges for service connections and tap-ins, but in no event shall these provisions require anything more than reimbursement to the companies of the actual, out-of-pocket costs of connecting service.

Effective:

R.C. 119.032 review dates: 01/06/2003

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Certification

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Date

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