

LOUISIANA PUBLIC SERVICE COMMISSION
GENERAL ORDER
(Amends General Order of January 18, 1954, in part)

In re: Prohibition of Duplication of Services and Paralleling of Mains by Water Utilities.

(Decided in Open Session May 25, 1995)

After discussion, and in light of problems that have arisen under the General Order dated January 18, 1954 as it relates to the providing of water service, the Commission voted to amend its General Order of January 18, 1954 to provide a definition to "mains;" to prohibit the providing of service by a water utility to a customer who is already receiving water service from another water utility or who is located within three hundred feet of another water utility's main; and to provide a mechanism for consumers to petition the Commission and obtain release from service from a water utility which would otherwise have exclusive service rights upon a showing that the service being received is inadequate. The General Order dated January 18, 1954 remains unchanged as to Gas Utilities.

ACCORDINGLY, IT IS ORDERED THAT:

No water utility shall construct or extend its facilities or furnish or offer to furnish water service to any point of connection which at the time of the proposed construction, extension or service is receiving regular service from another water utility, except with the written consent of such other water utility; nor shall any water utility construct or extend its facilities or furnish or offer to furnish water service to any point of connection which is located within three hundred feet of a water main of another public utility which is capable of providing water in sufficient quantity and at sufficient pressure as is required by the consumer at the point of connection, except with the written consent of such other public utility.

Any consumer receiving service from a water utility who feels aggrieved with the service being offered to or received by him may apply to the Louisiana Public Service Commission for an order directing his present supplier to show cause why the consumer should not be released from said supplier, and if the Commission shall find that the service rendered to such consumer is inadequate for any reason whatsoever and will not be rendered adequate within a reasonable time not to exceed six (6) months, the release shall be granted, subject to the following conditions: 1) the consumer shall pay for any and all necessary and LPSC approved fees or costs associated with the disconnection of service from the previous provider; 2) the consumer shall pay for any and all necessary and LPSC approved fees associated with connection to the new provider; and 3) the previous provider shall return any deposit to the consumer after allowable deductions or additions.

For purposes of this General Order the following terms shall have the following definitions:

1) "Consumer" shall be defined as any retail customer of a water utility, including a developer of a project requiring water service.

2) "Main" shall be defined as a water line of eight (8) or more inches in diameter which is used primarily for transmission or interconnection functions and which maintains an average operating pressure of 45 psi during normal daily usage periods.

3) "Point of Connection" shall be defined as the meter location or the point where the facilities of the water company meet the facilities owned by the consumer.

4) "Water Utility" shall be defined as a public utility subject to the jurisdiction of the Louisiana Public Service Commission engaging in the retail sale of water.

IT IS SO ORDERED.

**BY ORDER OF THE COMMISSION
BATON ROUGE, LOUISIANA
June 1, 1995**

/S/ JOHN F. SCHWEGMANN
DISTRICT I
CHAIRMAN JOHN F. SCHWEGMANN

/S/ IRMA MUSE DIXON
DISTRICT III
VICE-CHAIRMAN, IRMA MUSE DIXON

/S/ CURTIS J. JOUBERT
DISTRICT IV
COMMISSIONER, CURTIS J. JOUBERT

/S/ DON OWEN
DISTRICT V
COMMISSIONER, DON OWEN

/S/ KATHLEEN B. BLANCO
DISTRICT II
COMMISSIONER KATHLEEN BABINEAUX BLANCO

/S/ LAWRENCE C. ST. BLANC
SECRETARY