

TOHONO O’ODHAM UTILITY AUTHORITY
SCHEDULE OF RULES AND REGULATIONS

SECTION X
PROPANE SERVICE

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- I. Description Service Area
TOUA provides propane service within the geographic boundaries of the Tohono O'odham Nation's Reservation, which lies within the geographic boundaries Pima, Pinal and Maricopa counties.
- II. Application and Contract for Service.
- A. Each prospective Customer desiring propane service will be required to sign a standard form contract and may be required to pay a service deposit before service is supplied. Applicant for service must be at least eighteen (18) years of age and provide adequate identification, such as driver's license, tribal id and/or social security card.
 - B. An Applicant must submit a district resolution with wording giving TOUA permission to establish ALL utility services. If an Applicant is requesting utility services on a land assignment that belongs to someone other than the Applicant, the Applicant must submit a notarized letter from the land assignee giving the Applicant permission to establish utility services on their land assignment.
 - C. If, for any reason, a Customer, after signing a contract for service, does not take such service by reason of not occupying the premises or otherwise, he shall reimburse TOUA for the expense incurred by reason of its endeavor to furnish such service(s).
 - D. The receipt of a prospective Customer's application for service shall not obligate TOUA to render the service applied for. If the service applied for cannot be supplied in accordance with the provisions of these rules and regulations, the liability of TOUA to the Applicant shall be limited to the return of any service deposit or aid of construction made by such Applicant.
 - E. In cases where an Applicant was a previous customer of TOUA and that previous account is in delinquency the Applicant's application for service will not be processed until the delinquent account is paid.
- III. Minimum Service Periods
Unless otherwise specified elsewhere in this tariff, the minimum service period for all services offered in this tariff is one month beginning on and including the day following the establishment of service. For purposes of administration, each month is considered to have thirty (30) days.

The minimum service period relates to each applicable unit of service, either on the initial or subsequent installations.

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- IV. Transfer or Assignment of Service
Service previously furnished to one Customer may not be assumed by a new Customer without lapse in the rendition of service. The new Customer must execute a new service application.
- V. Office and Service Hours
Regular business hours are Monday through Friday 8:00 A.M. - 4:30 P.M., excluding holidays. All work, requested by the Customer, due to unusual conditions or circumstances may be arranged, at the Customer's expense.
- VI. Customer's Propane Piping Standards.
- A. Customer's propane service piping and fittings must be approved for use as gas and/or LP propane piping.
 - B. All steel underground piping must be the coated gas pipe material, either green or brown scotch coated or schedule eighty (80) black pipe. Following pressure testing, all underground steel fittings/joints must also be wrapped with ten (10) mil tape and piping should not be backfilled until after inspection and testing is complete.
 - C. The Customer's propane service line, from the propane tank to the building, must be installed at a minimum depth of twenty-four (24) inches. New services must have an approved pipe union and gas rated gate valve installed outside the building at the point where the service line connects to the buildings internal gas piping. Gas valves used on manufactured homes must be approved for that purpose.
 - D. If material other than coated steel gas line is installed, the Customer will be required to provide TOUA with any and all documentation requested to confirm the material used is approved for use as gas or LP propane piping.
- VII. Inspections and Testing.
- A. TOUA shall have the right, but shall not be obligated, to inspect any installation before propane service is introduced, or at any later reasonable time.
 - B. TOUA reserves the right to reject service to any facilities and TOUA will refuse to provide service to any facilities not in compliance with TOUA's Rules and Regulations.
 - C. Any inspection, failure to inspect, or decision to provide services shall not be regarded as an assurance, warranty, or guarantee against defects in installation or an assurance, warranty, or guarantee of the quality or safety of Customer's appliances or their installation. TOUA makes no representations, warranties, or guarantees about any inspection offered.

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- D. TOUA shall not under any circumstance be liable or responsible for any loss or damage to person or property resulting from events or circumstances outside of the reasonable control of TOUA; including, but not limited to the following: defects in the installation, appliances or the installation thereof, Customer's or any other person's violation of TOUA's Rules and Regulations, or accidents which may occur upon the Customer's premises.
- E. Utility installations and the safety of any utility installation shall be the sole responsibility of the Applicant/Customer.
- F. All buried services must be inspected by TOUA prior to being backfilled, to ensure that the service is buried at the required minimum depth and that all service materials used by the Customer meet TOUA requirements.
- G. Customer shall not backfill a propane service until the service passes the pressure test. To request an inspection please call the TOUA Propane department at (520) 383-5836 or make a request in-person at the TOUA office in Sells. Inspection requests may take up to forty-eight (48) hours for processing and scheduling. Scheduled inspections require the presence of the Customer or a Customer's agent who is over the age of eighteen (18).
- H. If a home or other building has existing propane service and has been vacant for twelve (12) months or more with the propane tank and regulator disconnected from the service line, TOUA requires that the service line be pressure tested prior to reconnecting the propane tank. All new propane services must be pressure tested prior to connecting to the propane tank. The process for pressure testing a propane service line is to pressurize it with air. Residential services must maintain 20 PSI (pounds per square inch) for two (2) hours. Commercial service lines must maintain 30 PSI for two (2) hours.
- I. Customers can call the TOUA Propane department at (520) 383-5836 to arrange for an inspection after work is completed and the service line is ready to be inspected and pressure tested. A TOUA employee must observe the pressure test and will determine if the line passes or fails the pressure test.
- J. Customers that purchase a mobile home are required to get written certification, on company stationery from the dealer or installer, stating that all the gas piping for the mobile home has been pressure tested as required in Section VII (H) above and that all gas fixtures and appliances have been converted from natural gas to LP propane. TOUA will not convert Customer's appliances from natural gas to LP propane.

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- VIII. Use or Loss of Propane on Customers Premises.
- A. The Customer is responsible for maintaining the propane service line, from the TOUA propane tank to their home or building and all propane related facilities and appliances inside their home or building (collectively, the "propane system"). Customer's responsibilities includes the responsibility to identify leaks within the propane system.
 - B. When TOUA makes propane deliveries to the Customer and as a courtesy to the Customer, TOUA's employee will test the connections between the propane tank and the Customer's service pipe and the employee will offer an opinion about whether or not leaks may be present within the propane system. If leaks are believed to exist, TOUA will notify the Customer about the possibility of leaks in the propane system. If the Customer directs TOUA to deliver propane despite receiving the opinion that leaks may exist, the Customer does so at the Customer's own expensed and TOUA will not reimburse the Customer for propane lost due to any leak that may actually exist. It is the Customer's responsibility to maintain their propane system to prevent leaks. Any courtesy inspection by TOUA and/or opinion of a TOUA employee about whether or not leaks may exist is not any assumption of responsibility by TOUA and TOUA makes warranties, express or implied, and hereby disclaims all implied warranties, including any warranty of merchantability and warranty of fitness for a particular purpose.
 - C. LP propane IS NOT natural gas. Customer is responsible for ensuring that any appliance connected to the Customer's propane system is appropriate for use with LP propane. TOUA does not provide the service to convert a gas appliance from natural gas to LP propane.
 - D. Each propane service shall only serve one home/premise or business.
 - E. Customer is prohibited from having any other vendor deliver and fill a TOUA owned propane tank. TOUA will not make deliveries ro or fill another vendor's propane tank.
- IX. TOUA Equipment
- A. TOUA equipment includes all propane storage tank(s), regulator(s) and other equipment furnished by TOUA. Customer is responsible for the loss or damage to any equipment provided by TOUA.
 - B. TOUA shall be responsible for the maintenance and upkeep of all equipment owned by TOUA.

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- X. Relocation of Equipment.
TOUA may, at the request of Customer, relocate or change existing TOUA-owned equipment. Customer shall reimburse TOUA for such changes at actual cost including appropriate overheads.
- XI. Damages to Property Due to Customers Faulty Equipment.
The TOUA shall not be liable to customer or any other person for any property damage caused by Customer's faulty equipment, internal piping or appliances.
- XII. Propane Delivery and Charges.
- A. At the time of application, Customer shall pay a Propane Tank Delivery and Setup Fee, as provided in any Schedule of Rates adopted pursuant to General Service Rules, Section XVII – Schedule of Rates and Fees of the Rules and Regulations for Service, before the application will be processed.
 - B. Customer bears the responsibility for monitoring the percent of propane remaining in the propane tank furnished by TOUA and shall call the Propane Department at (520) 383-5836 when the percent of propane remaining reaches twenty (20) percent. Failure of the Customer to monitor the remaining propane percentage may result in the Customer depleting all of the propane in the tank, resulting in the loss of service. TOUA shall not have any liability for interruption of service due to Customer's failure to adequately monitoring the propane tank level. TOUA needs a minimum of forty-eight (48) hour's advance notice to schedule a propane delivery. Please refer to the appropriate Schedule of Rates for any trip fees related to propane services.
 - C. Deliveries of propane will be billed on a per gallon basis, according to the TOUA Management Board approved rate schedule. The minimum quantity of propane that TOUA will deliver to a Customer is fifty (50) gallons.