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CITY OF WAR, a municipal corporation

OF

WAR, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING
SEWERAGE AND SEWAGE DISPOSAL SERVICE

at War, McDowell County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION

Of

WEST VIRGINIA

Issued January 24, 2013

Effective for service rendered on or after November 3, 2012
or as otherwise provided herein

Adopted by City Council on
September 19, 2012.

Issued by City of War, a municipal corporation

By

Carolyn Fitter Campella
Mayor

Title

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Sewerage Utilities, adopted by the Public Service Commission of West Virginia, and now in effect, and all amendments thereto and modifications thereof hereafter made by said Commission.

APPLICABILITY

Applicable to entire territory served.

(C) AVAILABILITY OF SERVICE

Available for general domestic, commercial, and industrial sanitary sewer service.

(C) RATES (Customers with metered water supply)

(I)	First	2,000	gallons used per month	\$13.30	per 1,000 gallons
(I)	Next	3,000	gallons used per month	\$ 9.35	per 1,000 gallons
(I)	Next	5,000	gallons used per month	\$ 8.25	per 1,000 gallons
(I)	Next	30,000	gallons used per month	\$ 7.25	per 1,000 gallons
(I)	Next	60,000	gallons used per month	\$ 7.00	per 1,000 gallons
	All over	100,000	gallons used per month	\$ 4.17	per 1,000 gallons

(N) UNMETERED RATE

A flat fee of \$45.30 based on 4,000 gallons will be charged per month for all unmetered sewer customers.

(C,I) MINIMUM CHARGE

No bill will be rendered for less than \$26.60 per month.

(C) DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

(C) CONNECTION CHARGE

The following charges are to be made whenever the utility installs a new tap to serve an applicant:

- (C) Indicates change in text
- (I) Indicates increase
- (N) Indicates new

(C) CONNECTION CHARGE (Continued)

A tap fee of \$100.00 will be charged to customers applying for service before construction is completed adjacent to the customer's premises in connection with a certificate proceeding before the Public Service Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to the applicant's premises that is associated with a certificate proceeding.

A tap fee of \$250.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Public Service Commission for each new tap to the system.

(N) SECURITY DEPOSIT

A deposit of \$50.00 or two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, whichever is greater. This fee may be changed by applicable statutory provisions.

(N) RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the utility or a maximum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

(N) ADJUSTMENT OF BILLS

No allowance or adjustment of any sewer bill shall be made for any leaks of any nature occurring on the customer's side of the meter, unless, in the discretion of the Sanitary Board, an allowance or adjustment would prevent or rectify a gross inequity in charges to the customer. In such event the leak adjustment shall be \$0.42 per 1,000 gallons incremental cost.

(C) RECONNECTION CHARGE - \$20.00

To be charged whenever the supply of water is turned off for non-payment of the sewer bill, violations, of rules, or fraudulent use of water.

(C) Indicates change in text

(N) Indicates new

(N) SURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE UTILITY'S SANITARY SEWER SYSTEM

Where the Sanitary Board has discovered that a customer's roof drain, downspout, storm sewer or other similar facilities conducting surface water have been connected to System and such customer has failed to take appropriate action, within thirty (30) days of receipt of a demand by the Sanitary Board in accordance with the Rules and Regulations of the Public Service Commission of West Virginia, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

- S - the surcharge in dollars
- A - the area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet
- R - the measured monthly rainfall, in inches
- 0.0006233 - a conversion factor to change inches of rain x square feet of surface to thousand gallons of water
- C - the utility's approved rate per thousand gallons of metered water usage

The Sanitary Board shall not impose the surcharge unless and until the customer has been notified by certified mail, return receipt requested, or by hand delivery, that it has been established by smoke testing, dye testing, or on-site inspection that rain or other surface water is being introduced into the sanitary sewer system at the customer's location, and that the customer has not acted within thirty (30) days from receipt of such notice to divert the water from the System.

Said surcharge shall be calculated and imposed for each month that the condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water service in accordance with the Rules of the Public Service Commission of West Virginia.

(N) Indicates new

(N) SURCHARGE FORMULA TO BE APPLIED TO A CUSTOMER PRODUCING UNUSUAL WASTE

The charge for the treatment of unusual waste will be calculated on the basis of the following formula:

$$C_i = V_o V_i + B_o B_i + S_o S_i$$

C_i = charge to unusual users per year

V_o = average unit cost of transport and treatment chargeable to volume, in dollars per gallon

V_i = volume of wastewater from unusual users, in gallons per year

B_o = average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD), in dollars per pound

B_i = weight of BOD from unusual users, in pounds per year

S_o = average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound

S_i = weight of total solids from unusual users, in pounds per year

When an unusual user is to be served, a preliminary study of its wastes, and the cost of transport and treatment thereof, will be made. Waste containing materials which, in the judgment of the Sanitary Board should not be introduced into the System, need not be handled by it. The results of this preliminary study will be used to determine the feasibility of the proposed sewer service and the charge therefore, based upon the formula set out above.

Thereafter, unusual sewage will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and audit of the Sanitary Board's records, new cost figures will be calculated for use in the above formula. The cost of establishing the monitoring facilities shall be paid by the unusual user. Based on these audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Sanitary Board, as the case may be. Such audited figures will then be used for the preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

(N) Indicates new

(N)

LOCAL TAX SURCHARGE

Customers receiving service in the following municipality shall pay a surcharge to pay for the B&O tax levied by the City.

<u>Municipality or Political Subdivision</u>	<u>Assessed Local B&O Tax Percent</u>	<u>Effective Local B&O Tax Percent</u>
City of War	4.00	4.37

Computed as follows:

$$\frac{\text{Local Tax Rate}}{(\text{Local Tax Rate} + \text{State Tax Rate})}$$

(N) Indicates new