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**TOWN OF DELBARTON, a municipal corporation**

OF

DELBARTON, WEST VIRGINIA

**RATES, RULES AND REGULATIONS FOR FURNISHING**

**SEWERAGE AND SEWAGE DISPOSAL SERVICE**

at the encompassed area within the Town of Delbarton and the communities of Puritan Mines, William Ann, Upper and Lower Pigeon Break, and the area leading from Delbarton to the Mingo County Vocational School in West Virginia

Filed with **THE PUBLIC SERVICE COMMISSION**  
of  
**WEST VIRGINIA**

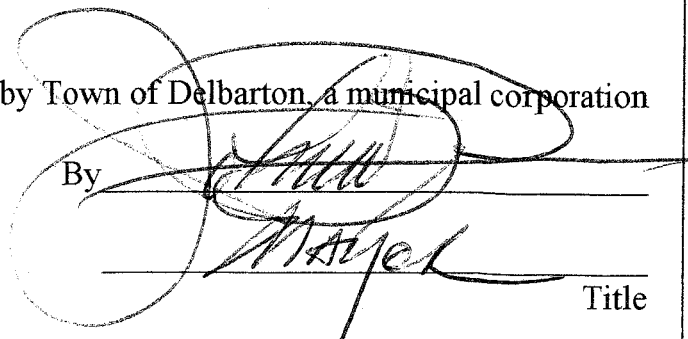
Issued February 14, 2013

Effective for all service rendered on and after  
January 28, 2013 or as otherwise provided herein

Passed by Town Council and upon  
Substantial project completion in  
Case No. 11-0258-S-CN

Issued by Town of Delbarton, a municipal corporation

By



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.

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SCHEDULE IAPPLICABILITY

Applicable to the entire territory served

AVAILABILITY

Available for general domestic, commercial, industrial (except unusual industrial waste) and resale sewer service

(I) RATES

Residential Usage	\$ 46.20 per month
Small Commercial	\$ 46.20 per month
Restaurants	\$ 67.32 per month
Beauty & Barber Shops	\$ 46.20 per month
Funeral Home	\$ 67.32 per month
Car Wash	\$130.68 per month
Medical Half-Way House	\$130.68 per month
Laundromat	\$130.68 per month
Clinics	\$130.68 per month
Schools	\$553.08 per month
Low-Enrollment Schools	\$286.44 per month
Small Schools (Headstart)	\$ 85.80 per month
Hospitals	\$130.68 per month

MINIMUM CHARGE

Each customer shall pay a flat-rate charge per month applicable to the type of service connection. Rates shall be flat-rate until such time as metering is available. Metered rates will be based on consumption of water based on gallons per month.

DELAYED PAYMENT PENALTY

The above schedule is net. On all current usage billings 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 to be collected only once where it is appropriate.

(I) Indicates increase

SCHEDULE I , (Continued)

TAP FEE

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

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 Commission. This pre-construction tap fee will be invalid after the completion of construction adjacent to an applicant's premises that is associated with a certificate proceeding.

A tap fee of \$300.00 will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

WATER DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Water service will not be restored until all past due water bills have been paid in full and all accrued penalties plus a disconnection charge of \$25.00 have been paid.

There will be a \$25.00 reconnection charge paid prior to restoration of water service which has been previously disconnected for any reason.

In the event Utility staff or agents collect money at the customer's residence in order to stop disconnection, an administrative fee of \$25.00 shall be paid in addition to other charges to prevent disconnection.

EFT, ACH, CREDIT CARD AND DROP-BOX PAYMENTS

A service charge will be imposed on EFT, ACH, Credit card or Drop-box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

SCHEDULE I (Continued)

INCREMENTAL COSTS

An amount not to exceed \$3.50 per 1,000 gallons is to be used when a bill reflects consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical usage. The Utility shall establish a non-discriminatory policy regarding this provision for leak adjustments.

SCHEDULE IISURCHARGE FORMULA TO BE APPLIED IN CASES WHERE SURFACE DRAINAGE IS CONNECTED TO THE UTILITY'S SANITARY SEWER SYSTEM

Where the Utility has discovered that a customer's roof drain, downspouts, storm sewer, or other similar facilities conducting surface water have been connected to the Utility's sewer system, and such customer has failed to take appropriate action, within thirty (30) days of receipt of a demand by the Utility in accordance with the Rules and Regulations of the Public Service Commission, 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

.0006233 - A conversion factor to change the inches of rain x square feet of surface to thousands of gallons of water

C – The Utility's approved rate per thousand gallons of metered water usage

The Utility 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 sanitary sewer system.

Said surcharge shall be calculated and imposed for each month that said 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 and Regulations of the Public Service Commission of West Virginia.

SCHEDULE IIISURCHARGE FORMULA TO BE APPLIED IN THE CASE OF USERS 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 Utility, should not be introduced into the sewer 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 Utility 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 the audited figures, additional billings covering the past fiscal year will be made for payment by each unusual user, or refund given by the Utility, 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.

SCHEDULE VI

APPLICABLE INSIDE AND OUTSIDE THE LIMITS OF AUTHORITY

Where the amount of sanitary sewage discharged into the Utility's wastewater collection and/or transmission and/or treatment system by certain industrial plant or plants cannot be accurately determined by the use of the plant's water meter or meters, and said plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Utility a sewer charge calculated fifty (50) gallons of water per each employee at the plant each working day.

SCHEDULE V

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers.

RATES

*Commodity Charge* – Each customer shall pay a commodity charge of \$40.00 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined, or verified solely, by the Utility.

DELAYED PAYMENT PENALTY

The above schedule is net. On all current usage billings 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 to be collected only once where it is appropriate.

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.