

BERKELEY COUNTY COUNCIL
NOTICE OF REQUEST TO APPROVE PROPOSED SEWER RATE INCREASE

NOTICE is hereby given pursuant to the requirements of W. VA. CODE § 16-13A-9 that the Berkeley County Public Service District, dba the Berkeley County Public Service Sewer District (the “Sewer District”) has requested that the Berkeley County Council (the “Council”) consider the Sewer Board’s adoption of a Capital Capacity Improvement Fee (CIF) to be added to existing sewer rates which shall be subject to a Public Hearing beginning at 11:15 a.m. on Thursday, April 4, 2019, followed by Council discussion and action scheduled for 11:45 a.m., on Thursday, April 11, 2019. Both the public hearing and discussion will be held at 400 West Stephen Street, Suite 205, Martinsburg, W.Va., 25401.

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Sewer 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.

SCHEDULE I

APPLICABILITY

Applicable to all customers served by the Berkeley County Public Service Sewer District other than customers formerly served by Sylvan Grove Waste Treatment, Inc.

- (N) Further applicable to all owners, tenants or occupants of any house, dwelling or building located near the sewer facilities and to whom sewer service is available; Provided that the service fees and charges shall not be billed until 30 days after the mailing of notice of sewer availability pursuant to the provisions of W. Va. Code §16-13A-9(d).

AVAILABILITY

Available for general domestic, commercial and industrial service.

RATES (Customers with metered water supply)

Service Charge:	\$13.17 per month
Usage Charge:	\$12.68 per 1,000 gallons

FLAT RATE CHARGE (Customers with non-metered water supply)

Equivalent of 3,900 gallons of water usage, or \$62.62 per month.

TAP FEE

The following charge is to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of \$350.00 will be charged to customers applying for service outside of a certificate proceeding before the Commission for each new tap to the system.

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 to be collected only once for each bill where it is appropriate.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

LEAK ADJUSTMENT

\$3.63 per 1,000 gallons is to be used when the bill reflects unusual 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 average usage.

RETURNED CHECK CHARGE

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

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(N) Indicates new.

SCHEDULE II

APPLICABILITY

Applicable to all former customers of Sylvan Grove Waste Treatment, Inc.

- (N) Further applicable to all owners, tenants or occupants of any house, dwelling or building located near the sewer facilities and to whom sewer service is available; Provided that the service fees and charges not be billed until 30 days after the mailing of notice of sewer availability pursuant to the provisions of W. Va. Code §16-13A-9(d).

AVAILABILITY

Available for general domestic, commercial and industrial service.

RATES (Customers with metered water supply)

First	3,000 gallons per month:	\$13.43 per 1,000 gallons
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Next	7,000 gallons per month:	\$ 11.71 per 1,000 gallons
All Over	10,000 gallons per month:	\$ 8.53 per 1,000 gallons

MINIMUM CHARGE

No bill will be rendered for less than \$40.29 per month.

TAP FEE

The following charge is to be made whenever the utility installs a new tap to serve an applicant. A tap fee of \$250.00 will be charged to customers applying for service outside of a certificate proceeding before the Commission for each new tap to the system.

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 to be collected only once for each bill where it is appropriate.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

LEAK ADJUSTMENT

\$1.22 per 1,000 gallons is to be used when the bill reflects unusual 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 average usage.

RETURNED CHECK CHARGE

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

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(N) Indicates new

SCHEDULE III

SURFACE OR GROUNDWATER SURCHARGE

An additional amount shall be charged where surface or groundwater is introduced into the sanitary sewer system where evidence of a violation exists.

Surcharge formula to be applied in cases where surface drainage is connected to the utility's sewer system.

APPLICABILITY

Whenever the utility has discovered that a customer's roof drain, downspout, storm sewer or similar facilities that conduct 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 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	=	A x R x .0006233 x 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 rainfall, in inches
0.0006233	=	a conversion factor to change inches of rain x square feet of surface water to thousands of gallons of water
C	=	the utility's approved rate per thousand gallons of metered water usage

The District 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 water from the sanitary sewer 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 and Regulations of the Public Service Commission of West Virginia.

(N) Indicates new.

SCHEDULE IV – Phase I

(N) CAPACITY IMPROVEMENT FEES – Applicable to all new connections for 365 days from the effective date of this tariff. An applicant for sewer service shall pay to the Sewer District, at the time the applicant requests inspection of a sewer lateral, a Capacity Improvement Fee. The Capacity Improvement Fee for each applicant shall be determined by the size of meter installed in accordance with the schedule set forth below.

<u>Meter Size</u>	<u>Type</u>	<u>Factor</u>	<u>Capacity Improvement</u>
<u>Fee</u>			
5/8 inch	Positive Displacement	1	\$ 1,426.00
3/4 inch	Positive Displacement	1.5	\$ 2,139.00
1 inch	Positive Displacement	2.5	\$ 3,565.00
1.5 inch	Positive Displacement	5	\$ 7,130.00
2 inch	Positive Displacement	8	\$ 11,408.00
	Compound	8	\$ 11,408.00
	Turbine	8	\$ 11,408.00
3 inch	Compound	16	\$ 22,816.00
	Turbine	17.5	\$ 24,955.00
4 inch	Compound	25	\$ 35,650.00
	Turbine	31.5	\$ 44,919.00
	Fire Service	35	\$ 49,910.00
6 inch	Compound	50	\$ 71,300.00
	Turbine	70	\$ 99,820.00
	Fire Service	80	\$ 114,080.00

The Capacity Improvement Fee applies to combined (fire plus domestic) meters when no separate domestic-only meter is provided. A Capacity Improvement Fee does not apply to a meter dedicated solely for fire service.

Meters in excess of 6 inches will be individually evaluated by the Sewer District. The Sewer District reserves the right to specify meter size.

(N) Indicates new – All of “Schedule IV – Phase 1” is new

SCHEDULE IV – Phase 2

(N) CAPACITY IMPROVEMENT FEES – Applicable to all new connections after 365 days from the effective date of this tariff. An applicant for sewer service shall pay to the Sewer District, at the time the applicant requests inspection of a sewer lateral, a Capacity Improvement Fee. The Capacity Improvement Fee for each applicant shall be determined by the size of meter installed in accordance with the schedule set forth below.

<u>Meter Size</u>	<u>Type</u>	<u>Factor</u>	<u>Capacity Improvement</u>
<u>Fee</u>			
5/8 inch	Positive Displacement	1	\$ 2,852.00
3/4 inch	Positive Displacement	1.5	\$ 4,278.00
1 inch	Positive Displacement	2.5	\$ 7,130.00
1.5 inch	Positive Displacement	5	\$ 14,260.00
2 inch	Positive Displacement	8	\$ 22,816.00
	Compound	8	\$ 22,816.00
	Turbine	8	\$ 22,816.00

3 inch	Compound	16	\$ 45,632.00
	Turbine	17.5	\$ 49,910.00
4 inch	Compound	25	\$ 71,300.00
	Turbine	31.5	\$ 89,838.00
	Fire Service	35	\$ 99,820.00
6 inch	Compound	50	\$ 142,600.00
	Turbine	70	\$ 199,640.00
	Fire Service	80	\$ 228,160.00

The Capacity Improvement Fee applies to combined (fire plus domestic) meters when no separate domestic-only meter is provided. A Capacity Improvement Fees does not apply to a meter dedicated solely for fire service.

Meters in excess of 6 inches will be individually evaluated by the Sewer District. The Sewer District reserves the right to specify meter size.

(N) Indicates new – All of “Schedule IV – Phase 2” is new

On Thursday, April 4, 2019 at 11:15 a.m. the Berkeley County Council shall conduct a public hearing to discuss the Sewer District’s request to have Capacity Improvement Fees added to existing sewer rates. The hearing will take place in the Dunn Building, 400 W. Stephen Street, Suite 205, Martinsburg, WV, 25401. Any person interested may appear before the County Council and present comments with regard to the proposal to increase the District’s sewer rates and charges. Anyone desiring to file a written protest may do so prior to the beginning of the public hearing on April 4, 2019. All protests should briefly state the reason for the protest and should be addressed to Alan J. Davis, County Administrator, 400 W. Stephen Street, Suite 201, Martinsburg, WV 25401. On Thursday, April 11, 2019, at its regular session, at 11:45 a.m., Council will consider and vote on the proposed rate increase. The meeting will be held in the Dunn Building, 400 West Stephen Street, Suite 205, Martinsburg, WV.

Any approved or modified rates, fees and charges will become effective forty-five (45) days following such action by the Council. If the Council takes no action, such proposal shall be effective April 14, 2019.

Berkeley County Council.

