

WASHINGTON SUBURBAN SANITARY COMMISSION

COMMISSION WORK SESSION/AWARD MEETING

February 17, 2010

Customer Care Team

Item Number Request for Emergency Contact for Repair to the River Road/Rock Creek
66"/60"/54" PCCP and Delegation the Authority to General Manager to Execute
the Emergency Contract.

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**WASHINGTON SUBURBAN SANITARY COMMISSION
COMMISSION SUMMARY**

AGENDA CATEGORY: Customer Care Team

DATE: February 17, 2010

SUBJECT	Work Session/Action on Proposed Repeal of Commission Resolution 2010-1848 and adopting a new amendment to Section 3.6 of Standard Procedure CUS 99-02 "Billing and Collecting Water/Sewer Charges and Related Fees."
SUMMARY	The Customer Care Team is recommending repealing Commission Resolution 2010-1848; amendment to Section 3.6 of Standard Procedure CUS 99-02 (Billing and Collecting Water/Sewer Use Charges and Related Fees) to further clarify application of "unit count" billing to multi-unit, mixed-use residential/commercial buildings, and to provide property owners with additional time to make plumbing changes. Staff has been contacted by AOBA in this regard.
SPECIAL COMMENTS	Article 29 does not mandate that WSSC apply any type of unit count adjustment.
CONTRACT NO./ REFERENCE NO.	Not applicable.
COSTS	Not applicable.
AMENDMENT/ CHANGE ORDER NO. AMOUNT	Not applicable.
MBE PARTICIPATION	Not applicable.
PRIOR STAFF/ COMMITTEE REVIEW	General Manager General Counsel's Office Chief Financial Officer Chief of Customer Care Team
RECOMMENDATION TO COMMISSION	Repeal Resolution 2010-1848 and approve Resolution 2010-1857.

OVERVIEW

Scope: To amend the current amendment to more specifically address how mixed-use, multi-unit accounts will be billed.

Plan of Action & Milestones

- Communicated proposed prior change to plumbing and development community; advertised change in newspaper in each county; posted information on web site – November 2009
- Presented final proposed amendments to Plumbing Code and CUS 99-02 to Commissioners for approval – November 18, 2009
- Advertised change in the Washington Post – December 2009
- Effective date after advertising amendment – January 1, 2010
- Contacted by members of the Apartment and Office Building Association and water conservation companies regarding amendment – January/February 2010.
- Advertise change – February 2010 and December 2010
- Contact multi-unit customers – February-March 2010
- IT completes work for billing – September 2010
- Resolution effective – December 31, 2010

Billing for “Mixed-Use” (Residential/Commercial) Multi-Unit Accounts

WSSC Current Amendment to SP CUS 99-02, Section 3-6:

“WSSC provides service to multi-unit residential properties, for example, apartment buildings. To ensure consistency with how WSSC bills a single family or town house property, the ADC used to bill a multi-unit residential property is determined by dividing its total water use by number of calendar days in the billing period, by the total number of occupied residential dwelling units served by the property’s meter.

Existing multi-unit “mixed use” properties containing both residential and commercial units shall be entitled to unit count billing for the occupied residential dwelling units only, as long as the commercial units and residential units are separately metered. New multi-unit “mixed use” properties containing both residential and commercial units also must meter the residential and commercial units separately in order to qualify for unit count billing for the occupied residential dwelling units.

For the purposes of this section, a residential dwelling unit is defined as a unit that 1) contains at least one bathroom and one kitchen and 2) is utilized exclusively as a place of residence pursuant to a deed or lease agreement. A commercial unit consists of any unit that does not meet the definition of residential dwelling unit.

Customers seeking the adjustment shall be required to certify as to the number of occupied units biannually, or when the vacancy rate goes above 25%.

WASHINGTON SUBURBAN SANITARY COMMISSION

Subject: A RESOLUTION amending Section 3.6 of Standard Procedure CUS 99-02 “Billing and Collecting Water/Sewer Charges and Related Fees”.

WHEREAS, the Commission adopted Standard Procedure (SP) CUS 99-02 on November 17, 1999 pursuant to its authority to adopt rules and regulations as set forth in the Maryland Annotated Code, Article 29, Section 9-101; and

WHEREAS, the Commission wishes to amend Section 3.6 of SP CUS 99-02 to clarify how Multi-Unit “Mixed Use” properties containing both commercial and residential units are to be billed ; and

WHEREAS, the Commission is authorized and empowered to amend SP CUS 99-02 pursuant to the Maryland Annotated Code, Article 29, Section 9-101; and

WHEREAS, the Commission has therefore proposed to amend Section 3.6 of SP CUS 99-02, and a copy of the proposed amendment is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED, this 18th day of November, 2009, that the Washington Suburban Sanitary Commission hereby adopts the amendment to Section 3.6 of SP CUS 99-02, as attached hereto; and

BE IT FURTHER RESOLVED, that notice of this resolution and the actions taken hereunder be published in at least one (1) newspaper published in each county of the Washington Suburban Sanitary District as soon as practicable, but in any event not later than December 1, 2009; and

BE IT FURTHER RESOLVED, that this resolution and the amendment to Section 3.6 of WSSC Standard Procedures 99-02 hereby adopted shall take effect on January 1, 2010.

A True Copy.

Charlett Bundy
Corporate Secretary

Draft Amendment to SP CUS 99-02 Section 3-6

Proposed Revision to Section 3-6 (*Proposed new language is shown in italics*)

“WSSC provides service to multi-unit residential properties, for example, apartment buildings. To ensure consistency with how WSSC bills a single family or town house property, the ADC used to bill a multi-unit residential property is determined by dividing its total water use by number of calendar days in the billing period, by the total number of *occupied residential dwelling* units served by the property’s meter.

Existing multi-unit “mixed use” properties containing both residential and commercial units shall be entitled to unit count billing for the occupied residential dwelling units only, as long as the commercial units and residential units are separately metered. New multi-unit “mixed use” properties containing both residential and commercial units also must meter the residential and commercial units separately in order to qualify for unit count billing for the occupied residential dwelling units.

For purposes of this section, a residential dwelling unit is defined as a unit that 1) contains at least one bathroom and one kitchen and 2) is used exclusively as a place of residence pursuant to a deed or a lease agreement. *A “commercial” unit is a unit whose principal purpose is transacting for-profit business with the public. A unit that 1) does not meet the definition of a residential dwelling unit, 2) whose principal purpose is to benefit residents of the multi-unit “mixed use” property (including but not limited to an administrative office, club house, or fitness, laundry or storage room), and 3) is not ordinarily used by the public for payment of a fee or to transact business shall neither be counted as a “unit” for billing purposes, nor be classified under this section as a “commercial” unit for which a separate meter is required.*

Customers seeking the adjustment shall be required to certify as to the number of occupied *residential* units biannually, or when the *residential* unit vacancy rate goes above 25%.

WASHINGTON SUBURBAN SANITARY COMMISSION

Subject: A RESOLUTION repealing Commission Resolution 2010-1848 adopted on November 18, 2009 and adopting a new amendment to Section 3.6 of Standard Procedure CUS 99-02 “Billing and Collecting Water/Sewer Charges and Related Fees”.

WHEREAS, the Commission adopted Standard Procedure (SP) CUS 99-02 on November 17, 1999 pursuant to its authority to adopt rules and regulations as set forth in the Maryland Annotated Code, Article 29, Section 9-101; and

WHEREAS, the Commission adopted Resolution 2010-1848 on November 18, 2009, which amended Section 3.6 of SP CUS 99-02; and

WHEREAS, the amendment to Section 3.6 of SP CUS 99-02 as set forth in Resolution 2010-1848 became effective on January 1, 2010; and

WHEREAS, the Commission now wishes to repeal Resolution 2010-1848 and the amendment to Section 3.6 of SP CUS 99-02 incorporated therein nunc pro tunc to January 1, 2010; and

WHEREAS, the Commission wishes to adopt a new amendment to Section 3.6 of SP CUS 99-02 to fully clarify how Multi-Unit “Mixed Use” properties containing both commercial and residential units are to be billed and also to give owners of Multi-Unit “Mixed Use” properties sufficient time to make necessary plumbing changes; and

WHEREAS, the Commission is authorized and empowered to amend SP CUS 99-02 pursuant to the Maryland Annotated Code, Article 29, Section 9-101; and

WHEREAS, the Commission has therefore proposed to amend Section 3.6 of SP CUS 99-02, and a copy of the proposed amendment is attached hereto; and

NOW, THEREFORE, BE IT RESOLVED, this 17th day of February, 2010, that the Washington Suburban Sanitary Commission hereby adopts the amendment to Section 3.6 of SP CUS 99-02, as attached hereto; and

BE IT FURTHER RESOLVED, that notice of this resolution and the actions taken hereunder be published in at least one (1) newspaper published in each county of the Washington Suburban Sanitary District as soon as practicable, but in any event not later than March 1, 2010; and

BE IT FURTHER RESOLVED, that this resolution and the amendment to Section 3.6 of WSSC Standard Procedures 99-02 hereby adopted shall take effect on December 31, 2010.

A True Copy.

Charlett Bundy
Corporate Secretary

STANDARD PROCEDURES OF THE WASHINGTON SUBURBAN SANITARY COMMISSION

ORIGINATOR & POSITION Joseph P. McNerney Director, Customer Affairs Bureau	SP NUMBER 99-02, Amended February 17, 2010 Resolution 1857 SUPERSEDES CUS 99-02	APPROVE BY/DATE 	EFFECTIVE DATE December 31, 2010	PAGE 1 OF 10
SUBJECT BILLING AND COLLECTING WATER/SEWER USE CHARGES AND RELATED FEES				

PURPOSE:

- 1.0 To describe how WSSC establishes accounts for properties provided water and/or sewer service and bills water and sewer use charges and related fees.
- 1.1 To describe when how WSSC collects a payment of water and sewer use charges and related fees which are not paid in a timely manner.

General Billing and Collection Procedures

- 2.0 The WSSC will establish an account for each property provided water and sewer service and will meter the water use of all such properties.
- 2.1 Generally, accounts will be billed monthly or quarterly for their water/sewer use based on their actual or estimated water use.
- 2.2 The rate charged each account for its water/sewer use varies and relates to the account's average daily (water) consumption (ADC) during the billing period. The higher an account's ADC the higher the rate the account is charged for all water and sewer use during the billing period.
- 2.3 Customers are provide 30 calendar days from date of WSSC mailing typically the postmark date, to pay quarterly water/sewer bills, and 20 calendar days from date of WSSC mailing to pay monthly bills. Quarterly bills not paid within 30 calendar days, and monthly bills not paid within 20 calendar days are subject to a late fee.
- 2.4 WSSC offers special payment arrangements to customers who have difficulty making timely bill payments. Contributions are also solicited from customers which are used by WSSC to provide bill payment help to needy customers.
- 2.5 Customers can formally appeal decisions made by WSSC staff on bill disputes to an independent Dispute Resolving Board and/or to the agency's policy-making Board, its Commission.
- 2.6 A customer who despite a formal reminder and/or warning does not pay water/sewer use charges and related fees will have his/her water service suspended. Also, service will not be restored until full payment is made of the delinquent bill and related fees to cover WSSC's cost to suspend and restore service to the property.

Specific Billing Procedures

- 3.0 For each connection that it provides to its water distribution system, WSSC establishes a billing account. (WSSC will also establish a billing account for a property connected only to its sewage collection system; see Section 3.20) Most properties have one water connection, therefore one account. Other properties have two or more water connections therefore two or more accounts. WSSC bills for service provided accounts, not necessarily properties.
- 3.1 Generally WSSC installs a meter at each connection provided to its water system. The meter requires all water used by the connection. At a customer's request, WSSC will install an additional meter called a sub meter which registers water used by the account which does not return to WSSC as wastewater. Such use is therefore, exempt from sewer charges. (See section 3.16)
- 3.2 Generally, WSSC establishes an account for each metered connection. However, some extremely large complexes have two or more metered connections, yet just one account. The additional metered connection(s) provided the account are intended to help ensure no disruption of service to the property. Such an account is billed on the basis of the use registered by all its meters.
- 3.3 Most accounts which are provided water are also provided sewer service by WSSC. The metered water use of such accounts is used to bill the accounts for their sewer use as well. Metered water is used to bill for sewer because sewage use can not be as accurately measured as water use can. Also, nearly all water provided most properties is typically returned to WSSC as wastewater. Additionally, metering sewer as well as water use would significantly increase WSSC's costs and the prices it would be required to charge for its services.
- 3.4 Depending on the amount of water used by an account, its meter is read and its water/sewer use billed quarterly or monthly. Currently, accounts whose average water use is typically at or about 5,000 gallons a day are billed monthly. All other properties are billed quarterly. However, properties whose water use is not continuous throughout the year, commercial swimming pools for example, are billed semi-annually.
- 3.5 WSSC uses a 16 step Rate Structure to bill accounts for their water and sewer use, in increments of 1,000 gallons of usage. The rates applicable to each step are included in WSSC's currently Approved Budget Document. The specific rate used to bill an account is based strictly on its average daily consumption (ADC). The rate warranted by an account's ADC is applied to all water and sewer used by the account during the billing period. An account's ADC is determined (The latter is the number of calendar days which have elapsed since the account's meter was last read.)

3.6 "WSSC provides service to multi-unit residential properties, for example, apartment buildings. To ensure consistency with how WSSC bills a single family or town house property, the ADC used to bill a multi-unit residential property is determined by dividing its total water use by number of calendar days in the billing period, by the total number of *occupied residential dwelling* units served by the property's meter.

Existing multi-unit "mixed use" properties containing both residential and commercial units shall be entitled to unit count billing for the occupied residential dwelling units only, as long as the commercial units and residential units are separately metered. New multi-unit "mixed use" properties containing both residential and commercial units also must meter the residential and commercial units separately in order to qualify for unit count billing for the occupied residential dwelling units.

For purposes of this section, a residential dwelling unit is defined as a unit that 1) contains at least one bathroom and one kitchen and 2) is used exclusively as a place of residence pursuant to a deed or a lease agreement. A "commercial" unit is a unit whose principal purpose is transacting for-profit business with the public. A unit that 1) does not meet the definition of a residential dwelling unit, 2) whose principal purpose is to benefit residents of the multi-unit "mixed use" property (including but not limited to an administrative office, club house, or fitness, laundry or storage room), and 3) is not ordinarily used by the public for payment of a fee or to transact business shall neither be counted as a "unit" for billing purposes, nor be classified under this section as a "commercial" unit for which a separate meter is required.

Customers seeking the adjustment shall be required to certify as to the number of occupied residential units biannually, or when the residential unit vacancy rate goes above 25%.

- 3.7 Some multi-unit residential properties have several metered connections and therefore, several accounts. In such cases each account's ADC is determined by dividing its total consumption, by the length of the billing period, by the number of units serviced by the account's metered connection. However, some multi-unit residential properties with multiple connections are unusually plumbed; some of their units are served by two connections. For example, some units may receive their cold water through one connection and their hot water through another connection. In such cases, the property owner or manager may request that the units used to determine each account's ADC be determined by multiplying the property's total number of units by the percentage that each account accounted for of the property's total water use during the prior WSSC fiscal year. Subsequently, every three years the property's unit distribution will be modified to reflect any changes which have occurred in any account's relative water use.
- 3.8 Some accounts are exempt from any water and sewer use charges. Other accounts are billed for only some of their water and sewer use, or all their use but at rate different from those included in WSSC's normal Rate Structure.

Properties owned and operated by the following agencies or municipalities are exempt by law or formal Agreement, from any water and sewer use charges:

- A fire department or rescue squad recognized by Prince George's or Montgomery County, as defined in Article 29, Annotated Code of Maryland – (State Code)
- The City of Hyattsville
- The City of Mount Rainer

Charitable institutions as defined by State Code, Section 6-105 are billed for all water and sewer use except for 100 gallons of water and sewer use a day for each resident of the institution.

Maryland-National Capital Park and Planning accounts which include public drinking fountains are by formal Agreement billed for all use, except for 5,000 gallons of water and sewer use each quarter, for each fountain. Also, by formal Agreement WSSC provides supplemental water to the City of Rockville and Howard County at rates stipulated by the Agreements.

- 3.9 Depending on its ADC (see Section 3.4), WSSC attempts to read each account's meter(s) monthly or quarterly. WSSC is usually able to secure a reading from most of its meters. However, periodically a meter can not be read because it is inaccessible. The meter is typically located inside a residential property and has no outside remote, or the remote may be inoperable. WSSC will leave a card at the property requesting that the customer read the meter and report the reading by either calling WSSC or completing and returning the card to WSSC. If no reading is received from the customer within seven workdays, WSSC will render the customer an estimated bill to ensure continued quarterly billing. The estimated bill will be based on the ADC of the bill provided the customer during a comparable period, one year earlier. If however, the customer was also provided an estimated bill during a comparable period one year earlier or the account is relatively new one; the estimated bill will be based on the customer's historical ADC. An account served by more than one meter or by a multi-dial meter is also estimated on the basis of the cumulative ADC. Periodically in the event of prolong emergency weather conditions, WSSC may also be required to estimate the bills of accounts which are overdue for billing to ensure timely billing of all such accounts.
- 3.10 When an estimated bill has been rendered, WSSC will secure a reliable reading of the customer's meter as soon as is practical. However, often a reliable reading can not be made until the account's next scheduled billing. Therefore a customer is required to pay an estimated bill a timely fashion (see Section 3.14). When a reliable reading is secured the customer is provided a bill covering actual water and sewer use since the last "actual" bill was rendered, including the time covered by the estimated bill. The new bill will cancel all charges included on the estimated bill, but credit the customer for any estimated bill payment.
- 3.11 A bill which has been estimated because the account's "inside" meter is not effectively remoted and can not be accessed will include a special message. The customer will be requested to read the meter, and report the reading to WSSC or contact WSSC to schedule a date and time when access to the property can be provided for a reading. If the customer does not respond within ten calendar days, another meter reading request will be mailed by WSSC. If the customer does not respond to the second request, and the recent estimated bill represents the customer's second consecutive estimated bill, two or more off-hour visits will be made to the property in an effort to secure a reading of the inside meter. If a reading still can not be secured, the customer will be informed by letter that because state law precludes WSSC from rendering a third consecutive estimated bill, the customer must call to arrange a time to allow WSSC access to the property. If the customer again does not respond, the customer will be informed by certified mail that unless WSSC is provided access to the property, water service will be

discontinued or “turned-off.” (WSSC will promptly replace the “unremoted” inside meter of any customer who request such action.)

- 3.12 An estimated bill will sometimes be rendered, even if a reading has been made of a customer’s meter. WSSC will do so if the verified reading reflects an ADC well below (roughly more than 40% below) that typically averaged by the customer, the meter has been installed over 10 years, and no change has occurred in the property’s occupancy or household size that would account for the dramatic decrease in the property’s water use. An estimated bill is rendered because the meter may not reflect all water used by the property. (A meter’s registration accuracy will sometimes deteriorate, especially as it ages, causing the meter to under register.)
- 3.13 If a bill was initially estimated because a reading made of the meter indicated relatively low water use, and a subsequent reading again reflects relatively low use, and no change is evident in the property’s occupancy or household size, WSSC will promptly replace and test the meter. If the meter is found to be under-registering, another estimated bill will be rendered through the date the meter was replaced. If the meter tests accurately the property will be billed on the basis of its actual metered use through the meter change date.
- 3.14 A WSSC bill is due and payable upon receipt. If full payment of a monthly bill rendered to other than a county, state or federal agency is not received by WSSC within 20 calendar days following WSSC mailing, the unpaid balance is subject to 5% late payment fee. If full payment of a quarterly bill rendered to other than a county, state or federal agency is not received within 30 calendar days of mailing, the unpaid balance is subject to a 5% late payment fee. Each bill indicates the date that the bill’s unpaid balance is subject to a late fee. However, WSSC will actually assess a late fee only if full payment is not received within three business days following the bill’s late fee assessment date, to allow for delayed post office delivery of the bill payment. Bills rendered to a county, state or federal agency shall be subject to late payment fees to the extent authorized by law.
- 3.15 If a check received as payment for water and sewer bill is returned by a bank, the account will be billed a returned check charge in accord with WSSC’s Schedule of Fees and Charges. The customer will also be informed that only a certified check, money order or cash will be accepted as payment for water/sewer bills rendered during the subsequent six months.
- 3.16 A customer will be billed water and sewer use charges at the applicable ADC rate (See Section 3.5) for all metered water use. If however, the account has a sub meter(s), the customer will be billed sewer charges for the sewer use represented by the difference between the main meter registration and that of the sub meter(s), at a rate applicable to the average daily sewer use during the billing period. (The latter is determined by dividing the total sewer use by the length of the billing period.)
- 3.17 WSSC’s monthly and quarterly bills will also include an “Account Maintenance Fee.” This fee covers the costs of certain customer services like purchasing, reading, and maintaining water meters and generating, mailing and collecting bills which are not covered by water and sewer use charges. The fee is assessed primarily on the size of the main meter serving the account. The current feels are listed in WSSC Approved Budget Document.
- 3.18 WSSC provides service to properties whether owner or tenant occupied. Also, WSSC will directly bill a tenant, unless requested not to do so by the owner. However, property owners are by state law ultimately responsible for the payment of all water and sewer bills, including any bills left unpaid by the tenant, unless WSSC has failed to discontinue service to the property in a timely manner (See Standard Procedures CUS 97-02). Any delinquent bill notice sent to a tenant will automatically be provided any identified owner. An owner can also request that he/she receive a “courtesy” copy of all tenant billings, and that a tenant not be provided any additional time to pay any delinquent bill beyond the date that the property’s service would normally be “turned-off” for bill non-payment (See Section 4.0) If an owner requests that he/she be directly billed for service provided a tenant-occupied property, a courtesy copy for the bill will be sent to the service address, as required by State Code.
- 3.19 While WSSC provides both water and sewer service to most properties, some are provided only sewer or only water service. Properties which are provided water by WSSC but which rely on their own septic systems to dispose of their wastewater will have their water use metered by WSSC. They are charged only water use charges on the basis of their ADC and WSSC’s current rate structure, plus an Account Maintenance Fee.
- 3.20 Residential properties which are connected to the WSSC’s sewer system but rely on a private well for their water supply are charged a standard “flat” sewer rate. The rate is recalculated annually based on the average ADC for all single family homes during the past three fiscal years, the sewer rate applicable to that ADC and the number of calendar days in an average quarter. (The current rate is included in WSSC’s Approved Budget Document.) If the water well connection of a “sewer only” property can, however be practically metered by WSSC, its sewer charges will be based on its metered water use, its actual ADC and WSSC’s current rate structure. The latter, metered “sewer only” accounts are also charged Account Maintenance Fees.

- 3.21 WSSC offers help to customers who have difficulty making timely bill payments. For example, if a customer has not received a “turn-off” notice in the past year, WSSC will if requested, delay the assessment of a late payment fee for seven calendar days. Also, if all prior bill payments have been made, WSSC will if requested, delay for seven calendar days mailing a “turn-off” notice. If the delinquent bill has already been made the subject of a “turn-off” notice, and additional time has not previously been provided on the bill, WSSC will if requested, delay suspending service to the property for seven additional calendar days. WSSC also offers weekly, bi-weekly and monthly payments plans on current bills. Such plans however will normally require that the current bill be paid in full before the next bill is scheduled to be generated. WSSC also regularly solicits customer contributions to its “Water Fund.” Needy customers can contact their local Salvation Army Office which administers the Fund for WSSC to determine their eligibility for Fund Assistance in paying water/sewer bills. WSSC officers bill adjustments in a variety of circumstances, including when a customer has incurred a particularly high bill. (See Standard Procedures CUS 97-02).
- 3.22 Customers may formally appeal an unpaid bill to a Dispute Resolving Board, composed of three WSSC customers. (See Standard Procedures CUS 94-01) Finally, by State law, customers may request a formal refund hearing with a Commissioner on any bill which the customer disputes but has paid within three years of the customer’s written refund request.
- 3.23 WSSC will test the meter of any customer who questions its accuracy, requests such a test, and agrees to reimburse WSSC for its testing costs at a fee provided under WSSC’s Schedule of Fees and Charges. The test will be conducted in accord with American Water Works Association (AWWA) and may be witnessed by the customer. If the test indicates the meter registered more water than the total amount of water which was actually passed through the meter and which is permitted under applicable AWAA standards, the test fee will be waived or refunded, and the customer’s bill be appropriately adjusted. If the meter is under registering, the testing fee will remain as assessed; however the customer will not be “backbilled” for the unregistered water/sewer use.
- 3.24 Periodically, WSSC is required to temporarily discontinue use of water mains to perform required maintenance. WSSC will, however, continue to provide service to the affected property through a temporary main and the property’s outside meter setting or hose bib. If billed quarterly, the “temporary” service is provided at no cost to the property. If billed monthly, the property is charged for the “temporary” service on an estimated basis.

Specific Collection Procedures

- 4.0 A customer whose bill has been the subject of a late fee but who has not been assessed a prior late fee within the past twelve months will be provided a notice simply reminding the customer of the overdue bill. If the customer’s payment has not been received, or payment arrangements have not been made, within ten calendar days following the reminder notice, a “turn-off” notice is provided the customer. The notice will indicate that water service to the property will be suspended or “turned-off” ten calendar days following the date of the notice, if payment has not been received or payment arrangements have not been made by the indicated turn-off date. A customer whose bill been the subject of a late fee and who has been assessed another late fee within the past twelve months, will be initially sent a turn-off notice, ten calendar days following the date the bill has been assessed a late fee.
- 4.1 If a customer fails to respond to a turn-off notice and WSSC has been provided the customer’s phone number, an automated “courtesy” call will be made reminding the customer of the delinquent bill and the imminent service suspension. Customers who respond to such calls will generally be given appropriate additional time to make delinquent bill payments before service will be suspended. If full or partial payment is, however, not made at the end of the additional days provided, the property will be turned-off. If a customer who has been provided bill payment arrangements, misses any scheduled payments, the arrangements are automatically cancelled, the full delinquent amount becomes due (actually overdue), and the property is scheduled for turn-off.
- 4.2 How soon a property scheduled for turn-off will actually be turned off depends of several factors including chiefly, the amount/age of the delinquent bill and whether the occupant is a tenant or owner. Generally because of the liability WSSC may have to assume for portions of unpaid tenant bills (See Standard Procedures CUS 99-02, Section 3.4), tenant-occupied properties will be turned off before those occupied by owners. To help ensure the safety and security of WSSC employees required to turn off properties, they are not permitted to accept bill payments from any customers.
- 4.3 A customer whose service has been turned off will not have service restored until after WSSC receives full payment of the delinquent bill and a fee assessed (in line with WSSC’s Schedule of Fees and Charges) to cover WSSC’s cost to initially turn-off and subsequently “turn on” the property. How soon a property’s service will be restored relates to how early during a

workday WSSC receives payment of the delinquent bill. If payment is received before 5 P.M., service will generally be restored the same day. Otherwise, service will be restored the following workday.

- 4.4 To ensure that no water damage will occur as a result of water service being restored to a property whose occupant has unknowingly left turned on one or more faucets, the WSSC representative will notify the occupant upon arrival at the property of plans to restore service. If the property is unoccupied, service will not be restored unless or until the customer has provided WSSC with a signed Release of Liability. (When a property is initially turned off, the owner is provided a Release of Liability form and encouraged to complete and return the form with the delinquent bill payment.)
- 4.5 Properties which have been turned-off for nonpayment of delinquent bills will be checked periodically to ensure service to the property has not been restored. If service has been illegally restored to the property, the property will again be turned off, assessed another turn-off fee, and the occupant will be warned that a repeat occurrence will result in WSSC's issuance of a formal Civil Citation. If installed outside the property, the meter will also be removed. If the meter can not be removed, a lock will be placed on the "curb box" servicing the property. Properties whose service has been found to be illegally restored will be charged for all water and sewer use on the basis of their metered use, or if the meter has been removed, on an estimated basis. Such properties will also be more frequently monitored to ensure service remains turned off. If the property is again found to have illegally turned on, a representative of the Office of Security & Safety Services will visit the property to determine if a civil citation should be issued.
- 4.6 When notified that a customer has filed for bankruptcy protection, WSSC will immediately discontinue any efforts to collect bills rendered before the bankruptcy filing, pending court action on the petition. Service will also be continued, or if suspended will be restored. However, if the customer has previously filed for bankruptcy protection or illegally restored water service, or has a delinquent bill balance in excess of \$1,000, service will be continued beyond 20 calendar days, only if the customer deposits with WSSC monies sufficient to assure payment of bills rendered for service provided after the bankruptcy filing. The deposit required will equal the sum of the two largest bills rendered during the past twelve months. The deposit must be cash, money order or certified check. To avoid loss of service, the deposit must be received by WSSC within 20 calendar days from the date that the customer has been requested to provide the deposit.

Deposits will be refunded with interest following twelve months of timely bill payments. If the bankruptcy petition is dismissed or withdrawn, the deposit, minus any delinquent balance of the account, will be promptly returned to the customer. Deposits with interest will also be promptly refunded if the customer vacates the property and has paid all bills covering service to the property.

AUTHORITY CLAUSE

The General Counsel certifies that the statutory authority for the adoption of these Standard Procedures, CUS 99-02, is Article 29, Section 9-101, 6-104, 6-104, 6-111 & 8-101 of the Annotated Code of Maryland and Section 366 of the United States Bankruptcy Code, 11 U.S.C. 366. Also any conflict between these Procedures and the Annotated Code will be resolved in favor of the latter two authorities.

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