Leak Adjustment Policy & Implementing Leak Adjustments

By Rhonda Boothe, Consumer Affairs Technician, Water and Wastewater Division, Public Service Commission of West Virginia

Customers frequently contact the Consumer Affairs Technicians (CATs) in the Public Service Commission’s Water and Wastewater Division regarding bills that show higher than normal water consumption. They inquire about their rights and how the Commission rules apply to receiving an adjustment for both water and sewer leaks. After fact finding with the complainant during the initial investigation, it is usually determined that these sizeable bills are the result of water leaks, which often show up in older lines. The CATs, as part of our review, confer with the applicable water and/or sewer utility to ensure that the correct procedures or steps are being taken to be able to properly assist these customers.

Included below are some helpful comments and tips as well as the applicable Water Rules when faced with this situation. First, make sure that you have a leak adjustment policy that does not contradict Commission Rules. A copy of that policy should be maintained in the office and readily accessible to the public, in accordance with Water Rule 4.4.c.1.:

“Each utility shall develop and implement a written policy concerning the adjustment of customer bills where the bill reflects unusual usage which can be attributed to leakage on the customer’s side of the meter. Leaking commodes, dripping faucets, malfunctioning appliances and similar situations shall not constitute leaks which entitle the customer to a recalculated bill. The policy shall be maintained in the utility’s office for inspection by the public and shall be applied in a non-discriminatory manner to all customers. The reasonableness of the utility’s policy or practice with respect to a policy shall be subject to Commission review in a formal complaint proceeding.”

Second, when contacted by a customer, discuss their situation, review your leak adjustment policy with them, inquire as to whether the leak has been repaired, advise of documentation they need to provide to support their request for a leak adjustment and advise them of when to
expect a response from the utility as to whether an adjustment will be made. Advise the customer that if an adjustment is made it will be done in accordance with Water Rule 4.4.c.2.:

“The policy shall provide for a recalculated bill to reflect the utility’s incremental cost of treating or purchasing the water, as contained in the utility’s tariff, for all amounts above the customer’s historic usage. Historic usage shall be defined as the average usage of the preceding twelve (12) months, or actual period of service if less than twelve (12) months. If using the historic usage would result in an unreasonable calculation, adjustments may be made. If such adjustments are made, the utility should advise its customer that a dispute regarding such adjustments may be taken to the Commission in the form of an informal complaint.”

Third, once the required information is received evaluate it to determine whether an adjustment is warranted. If so, compare the usage to the customer’s historical consumption in accordance with the following Water Rules:

4.4.c.3. “As an alternative to using the incremental cost of treating or purchasing the water, the utility may, at its option, use an adjustment which allows it to recover the Commission’s estimate of ‘typical incremental’ cost per thousand gallons of water on usage above the historic usage. The Commission shall from time to time establish its estimate of ‘typical incremental cost’ by order.”

4.4.c.4. “However, in future rate cases the utility’s incremental cost of treating or purchasing the water shall be determined and the rate placed in an appropriate tariff as the leak adjustment rate. After a rate has been determined in a rate case, the utility shall not have the option to use the Commission’s estimate of ‘typical incremental cost’ found in 4.4.c.3.”

Fourth, contact the customer to advise of the leak adjustment amount provided by the utility and that the information will be provided to the customer’s sewer utility, if applicable. If the customer is not satisfied with the leak adjustment amount or the utility refuses to provide a leak adjustment then the customer should be advised of their right to file an informal or formal complaint with the Commission regarding the reasonableness of the utility’s actions.

Fifth, for sewer utilities please keep in mind that Sewer Rule 4.4.c.2. requires that “…Any amounts which the customer can prove did not enter the sanitary sewer system shall be credited at full tariff rates.”

Sixth, keep in mind that if the leak spans into the next bill cycle the respective bills should be considered for adjustment.

Please note that should a formal complaint be filed, the ultimate decision will be based upon the particular facts involved. In some instances the Commission has allowed adjustments that would not
typically qualify for adjustment based upon the fact that it was determined that the leak was not readily apparent or detectable to a customer, based upon unusual circumstances.

We hope this serves as a friendly reminder of the Water and Sewer Rules regarding leaks on the customer’s side of the meter. If you do not have a current copy of the Public Service Commission Water and Sewer Rules you may find them on the Secretary of State website at http://apps.sos.wv.gov/adlaw/csr/. Please Select Series 150-05 for Rules of the Government of Sewer Utilities and 150-07 for Rules for the Government of Water Utilities. If you still have questions or need clarification, please contact the Water and Wastewater Division for additional information.

CWSRF Requirement for American Iron and Steel

By Jefferson E. Brady, P.E., Division of Water and Waste Management, West Virginia Department of Environmental Protection

The American Iron and Steel (AIS) provision requires Clean Water State Revolving Fund (CWSRF) assistance recipients to use iron and steel products that are produced in the United States (U.S.). This requirement applies to projects for the construction, alteration, maintenance or repair of a public water system or treatment works. The AIS provision is a permanent requirement for all CWSRF projects.

The following guidance excerpt has been provided from EPA. (Complete guidance may be downloaded from: https://www.epa.gov/cwsrf/state-revolving-fund-american-iron-and-steel-ais-requirement.)

Covered Iron and Steel Products

Q: What is an iron or steel product?
A: For purposes of the CWSRF and DWSRF projects that must comply with the AIS requirement, an iron or steel product is one of the following made primarily of iron or steel that is permanently incorporated into the public water system or treatment works:

- Lined or unlined pipes or fittings
- Manhole Covers
- Municipal Castings (defined in more detail below)
- Hydrants
- Tanks
- Flanges
- Pipe clamps and restraints
- Valves
- Structural steel (defined in more detail below)
- Reinforced precast concrete
- Construction materials (defined in more detail below)

Q: What does the term “primarily iron or steel” mean?
A: “Primarily iron or steel” places constraints on the list of products above. For one of the listed products to be considered subject to the AIS requirements, it must be made of greater than 50% iron or steel, measured by cost. The cost should be based on the material costs.
Q: Can you provide an example of how to perform a cost determination?
A: For example, the iron portion of a fire hydrant would likely be the bonnet, body and shoe, and the cost then would include the pouring and casting to create those components. The other material costs would include non-iron and steel internal workings of the fire hydrant (i.e.: stem, coupling, valve, seals, etc.). However, the assembly of the internal workings into the hydrant body would not be included in this cost calculation. If one of the listed products is not made primarily of iron or steel, U.S. provenance is not required. An exception to this definition is reinforced precast concrete, which is addressed in a later question.

Q: If a product is composed of more than 50% iron or steel, but is not listed in the above list of items, must the item be produced in the U.S.? Alternatively, must the iron or steel in such a product be produced in the U.S.?
A: The answer to both questions is no. Only items on the above list must be produced in the U.S. Additionally, the iron or steel in a non-listed item can be sourced from outside the U.S.

Q: What is the definition of steel?
A: Steel means an alloy that includes at least 50% iron, between .02% and 2% carbon, and may include other elements. Metallic elements such as chromium, nickel, molybdenum, manganese and silicon may be added during the melting of steel for the purpose of enhancing properties such as corrosion resistance, hardness or strength. The definition of steel covers carbon steel, alloy steel, stainless steel, tool steel and other specialty steels.

Q: What does “produced in the United States” mean?
A: Production in the U.S. of the iron or steel products used in the project requires that all manufacturing processes, including application of coatings, must take place in the U.S., with the exception of metallurgical processes involving refinement of steel additives. “All manufacturing processes” includes processes such as melting, refining, forming, rolling, drawing, finishing, fabricating and coating. Further, if a domestic iron and steel product is taken out of the U.S. for any part of the manufacturing process, it becomes foreign source material. However, raw materials such as iron ore, limestone and iron and steel scrap are not covered by the AIS requirement, and the material(s), if any, being applied as a coating are similarly not covered. Non-iron or steel components of an iron and steel product may come from non-U.S. sources. For example, for products such as valves and hydrants, the individual non-iron and steel components do not have to be of domestic origin.

Q: Are the raw materials used in the production of iron or steel required to come from U.S. sources?
A: No. Raw materials, such as iron ore, limestone, scrap iron and scrap steel can come from non-U.S. sources.

Q: If an above listed item is primarily made of iron or steel, but is only at the construction site temporarily, must such an item be produced in the U.S.?
A: No. Only the above listed products made primarily of iron or steel, permanently incorporated into the
project must be produced in the U.S. For example trench boxes, scaffolding or equipment that is removed from the project site upon completion of the project are not required to be made of U.S. iron or steel.

Q: What is the definition of “municipal castings?”
A: Municipal castings are cast iron or steel infrastructure products that are melted and cast. They typically provide access, protection or housing for components incorporated into utility-owned drinking water, storm water, wastewater and surface infrastructure. They are typically made of grey or ductile iron or steel. Examples of municipal castings are:
- Access hatches
- Ballast screen
- Benches (iron or steel)
- Bollards
- Cast bases
- Cast iron hinged hatches, square and rectangular
- Cast iron riser rings
- Catch basin inlet
- Cleanout/monument boxes
- Construction covers and frames
- Curb and corner guards
- Curb openings
- Detectable warning plates
- Downspout shoes (boot, inlet)
- Drainage grates, frames and curb inlets
- Inlets
- Junction boxes
- Lampposts
- Manhole covers, rings and frames, risers
- Meter boxes
- Service boxes
- Steel hinged hatches, square and rectangular
- Steel riser rings
- Trash receptacles
- Tree grates
- Tree guards
- Trench grates
- Valve boxes, covers and risers

Q: What is “structural steel?”
A: Structural steel is rolled flanged shapes, having at least one dimension of their cross-section three inches or greater, which are used in the construction of bridges, buildings, ships, railroad rolling stock and for numerous other constructional purposes. Such shapes are designated as wide-flange shapes, standard I-beams, channels, angles, tees and zees. Other shapes include H-piles, sheet piling, tie plates, cross ties and those for other special purposes.
**Q:** What is a “construction material” for purposes of the AIS requirement?

**A:** Construction materials are those articles, materials or supplies made primarily of iron and steel, that are permanently incorporated into the project, not including mechanical and/or electrical components, equipment and systems. Some of these products may overlap with what is also considered “structural steel.” This includes, but is not limited to, the following products: wire rod, bar, angles, concrete reinforcing bar, wire, wire cloth, wire rope and cables, tubing, framing, joists, trusses, fasteners (*i.e.*: nuts and bolts), welding rods, decking, grating, railings, stairs, access ramps, fire escapes, ladders, wall panels, dome structures, roofing, ductwork, surface drains, cable hanging systems, manhole steps, fencing and fence tubing, guardrails, doors and stationary screens.

**Q:** What is not considered a “construction material” for purposes of the AIS requirement?

**A:** Mechanical and electrical components, equipment and systems are not considered construction materials. Mechanical equipment is typically that which has motorized parts and/or is powered by a motor. Electrical equipment is typically any machine powered by electricity and includes components that are part of the electrical distribution system. The following examples (including their appurtenances necessary for their intended use and operation) are *not* considered construction materials: pumps, motors, gear reducers, drives (including variable frequency drives (VFDs)), electric/pneumatic/manual accessories used to operate valves (such as electric valve actuators), mixers, gates, motorized screens (such as traveling screens), blowers/aeration equipment, compressors, meters, sensors, controls and switches, supervisory control and data acquisition (SCADA), membrane bioreactor systems, membrane filtration systems, filters, clarifiers and clarifier mechanisms, rakes, grinders, disinfection systems, presses (including belt presses), conveyors, cranes, HVAC (excluding ductwork), water heaters, heat exchangers, generators, cabinetry and housings (such as electrical boxes/enclosures), lighting fixtures, electrical conduit, emergency life systems, metal office furniture, shelving, laboratory equipment, analytical instrumentation and dewatering equipment.

**Q:** If the iron or steel is produced in the U.S., may other steps in the manufacturing process take place outside of the U.S., such as assembly?

**A:** No. Production in the U.S. of the iron or steel used in a listed product requires that all manufacturing processes must take place in the U.S., except metallurgical processes involving refinement of steel additives.

**Q:** What processes must occur in the U.S. to be compliant with the AIS requirement for reinforced precast concrete?

**A:** While reinforced precast concrete may not be at least 50% iron or steel, in this particular case, the reinforcing bar and wire must be produced in the U.S. and meet the same standards as for any other iron or steel product. Additionally, the casting of the concrete product must take place in the U.S. The cement and other raw materials used in concrete production are not required to be of domestic origin.

If the reinforced concrete is cast at the construction site, the reinforcing bar and wire are considered to be a construction material and must be produced in the U.S.

*If you have questions regarding AIS please contact Jefferson E. Brady, P.E. at Jefferson.e.brady@wv.gov or 304-926-0499 x1611.*
Providing Potable Water
By Markita Black, Consumer Affairs Technician, Water and Wastewater Division, Public Service Commission of West Virginia

Residents in some of the more rural communities of West Virginia often contact the Public Service Commission (Commission) for information on how to get public sponsored water to their areas. Providing access to potable water can often be more challenging and expensive than most people realize.

Three critical factors must be considered when a utility investigates providing a main service line extension to a geographical area:

1) **Density of Population** Will there be enough customers in the area to make the mainline extension cost effective? The rule of thumb is for every mile of the proposed mainline, the utility needs 12-15 new paying customers to pay the monthly water bill and support the expense of the new project.

2) **Changes in Elevation** West Virginia is famous for its beautiful mountains. Those same mountains, however, can make it very difficult to push water against gravity to communities at higher elevations. Booster pump stations, pressure reducing stations and storage water tanks may be necessary, and they can all add significant costs to the final price tag of an extension project.

3) **Type of Sub-Surface** Installing the mainline extension requires a sizeable trench in which to lay the service line. The kind of material that must be removed to make the trench can have a large impact on the budget of the project. If the material is particularly difficult to excavate, such as rock or other dense, solid material, it can require special equipment and trained operators – both of which can add significantly to the project’s price tag.

Lack of funding is, more often than not, the reason most projects are delayed or not pursued. There are several ways for residents to pursue mainline extensions with reduced or no financial backing from the local utility.

1) Residents can request a mainline water extension pursuant to Water Rule 5.5. The utility has 45 days from the receipt of the request to provide residents with an itemized cost estimate. If the residents accept the estimate, they are required to deposit the balance of the estimate after the utility deposits their portion of the project cost. The utility will then construct the mainline using its own manpower or bid the project out to a private contractor.
2) If residents believe they can construct the service line more cost effectively, they may obtain bids from private contractors and pay for the cost of construction themselves. Once the service line is completed, its ownership and maintenance become the responsibility of the utility. Because the utility will assume ownership, it should inspect the workmanship of the service line and all of its fixtures to make sure it is of acceptable quality. Any extension longer than 1,000 feet requires a permit from the State Health Department. This option is considered an alternate mainline extension, and both the residents and the utility must have the Alternate Mainline Extension Agreement reviewed and approved by the Commission before construction can begin.

3) Residents can collectively install a self-help extension from their homes to the mainline. With this option, the new potential customers pay the entire cost for the mainline extension. As other new customers request to connect to the mainline, the original customers will receive reimbursement against their investment. The reimbursement cannot exceed the original cost per household. As with option 2, the utility takes responsibility for the line once it becomes operable. This option is considered an alternate mainline extension and both the residents and the utility must have the Alternate Mainline Extension Agreement reviewed and approved by the Commission before construction can begin.

4) Each resident may lay a long service line from his/her residence to the end of the existing main service line and request a tap from the utility. The resident is responsible for the installation and maintenance of this type of service line, and no other customers may connect to it. Documentation must be submitted to the utility showing the proper rights of way and easements have been obtained before construction begins. If a mainline is installed later, the customer must agree to disconnect from the long service line and connect to the mainline at the customer's cost.

The Public Service Commission is always available to provide information and assistance to utilities and residents regarding the mainline extension process. The more we can educate the public regarding this process, the better informed they can be when making this request of their local utility.
Sharing the Outdoors with Rodents, Snakes and Insects

By Carl Baldwin, Risk and Insurance Analyst, West Virginia Board of Risk and Insurance Management

Whether you're on the job or doing chores around the house, it's important to take precautionary measures when it comes to rodents, snakes and insects. When you're cleaning up debris or moving materials around outside, you may encounter at least one of the three, so it is important to be prepared. Below are a few tips on how to handle these interactions.

Rodents and Wild or Stray Animals

- Avoid contact with wild or stray animals, dead or alive. They can spread diseases such as rate bite fever or rabies.
- Wear protective gloves whenever possible.
- Dead carcasses should be removed from the area as soon as possible.
- If bitten or scratched, seek medical attention immediately.

Snakes

- Wear heavy gloves when removing debris. Always watch where you are placing your hands and feet and, if possible, don’t place your fingers under debris being moved.
- If you see a snake, step back, give it space and allow it to proceed.
- Wear boots that are at least 10 inches tall.
- Be watchful for snakes sunning on fallen trees or other debris.
- Snakes' striking distances are about half their body length.
- In case of a snake bite, keep the victim still and calm to slow the spread of venom if the snake is poisonous. Seek medical attention immediately.
- If bitten, pay attention to the color and shape of the snake's head to help with treatment.

Insects, Spiders and Ticks

- Wear long pants, socks and a long sleeve shirt to protect yourself from biting or stinging insects.
- Use insect repellents.
- Treat bites and stings with first aid products that relieve pain and prevent infection.

Clearly, when working outdoors, there are various risks that should be taken into consideration to have a productive experience. Being observant of your surroundings, planning your activities and taking precautionary measures can go a long way toward getting tasks completed without incident. These tips can be helpful in reducing unnecessary exposures or injuries. Remember, a big part of being safe is being alert and prepared.

Reference: OSHA Quick Card 3274-09N-05, Rodents, Snakes and Insects
Be Water Smart — Save Money!
By Lisa Bailey, Technical Analyst, Engineering Division, Public Service Commission of West Virginia

Water is a resource that we depend on every day. Without it, life becomes a bit more difficult. Since we seem to have skipped over the spring weather season this year, it looks like summer will be coming at a quick pace, and with that, the heat is going to turn up. Temperatures will be on the rise, and some days it will be hot. What better way to cool off than to get wet – use a little extra water? Let us discuss a few water-wise things to look out for that may even save you some money.

Did You Know?
- About 95% of the water entering your home goes down the drain.
- Older toilets can use three gallons of clean water with every flush, while new toilets use as little as one gallon.
- Leaky faucets that drip at the rate of one drop per second can waste up to 2,700 gallons of water each year.
- A garden hose or sprinkler can use almost as much water in an hour as an average family of four uses in one day.

What Can We Do?
During the summer months, and throughout the year, consider minimizing non-essential water usage, check often for leaks and make repairs in a timely fashion.

Check for water faucet leaks; these are easy to detect. If your faucet drips or, even worse, does not shut off, it needs to be fixed. If the water is hot, it is costing you additional money to heat the water. Water dripping from a showerhead when the shower is off or running out of the tub spout when the shower is on is usually caused by a bad washer or seat that needs to be replaced.

According to the EPA, replacing just one showerhead with a water efficient model can save the average family as much as 2,900 gallons of water a year, or more than $70 in energy and water costs.

Imagine that the 1/16-inch dot below was the only leak in your home’s water system. While it looks minimal and you may want to consider just letting it go, that leak can waste more than enough water for a person to take showers for a year.

Check for toilet leaks. Toilet leaks, which often go unnoticed, are frequently caused by worn or damaged parts in the toilet flush tank. Some toilet leaks are hard to find because they only happen periodically,
rather than all the time. Have you ever been asleep and all of a sudden been awakened by the sound of wa-
ter pressure filling the toilet in the middle of the night, but no one was in the bathroom? I bet most of us
have heard this sound more than once. It’s most likely the result of a damaged toilet part, or occasionally
some foreign material or dirt in the tank that doesn’t allow the valve to seat properly.

Steps to check for toilet leak:

- Remove the lid from the tank and drop a small amount of
  food coloring into the tank.
- Wait 10-20 minutes. If the food coloring appears in the
  toilet bowl, repairs need to be made or the flapper valve
  (flush valve) needs to be adjusted.
- If you can hear water running, it may mean that water is
  running over the overflow tube in the tank, which will
  need to be repaired.

None of these parts are hard to replace or repair. Most
homeowners are able to make the repairs. If you haven’t done
this type of work before, a useful tip is to watch a YouTube
video on how to fix or repair a leaking toilet.

Tips for Inside the Home:

- Take a shower instead of a bath – it can save between 40-60 gallons of water.
- Install water saving showerheads and shorten the amount of time you spend in the shower (five
  minutes or less). That’s real good advice for your college kids who come back home for the summer
  months.
- When brushing your teeth, turn off the water – do not let it run continuously.
- Don’t rinse dishes before placing them in the dishwasher, just scrape them and place them in the dish-
  washer.
- If you wash dishes by hand, have two tubs of water – one for washing and one for rinsing. Do not run
  extra water for rinsing.
- When rinsing/cleaning fruits and vegetables, use a basin of water instead of rinsing each item from the
  faucet.
- Plan your meals – place frozen items in the refrigerator instead of running water over them to thaw, or
  defrost them in the microwave.
- Look for appliances that have cycle or load size adjustments, as most are now energy efficient and use
  less water and energy.

Tips for Outside the Home:

- You do not need to water plants every day – water only as needed. Water plants early in the morning
  or late evening to minimize evaporation.
- Use a collection system for rainwater. This water can be used to water outdoor plants.
- Use a broom instead of a water hose to clean patios, sidewalks and decks. Mother Nature will take care
  of the rest.
Tips for Outside the Home (continued):

- Use a hose nozzle on your water hose to better control the water flow.
- If you use sprinklers, check the sprinkler heads to make sure you are not watering unnecessary surfaces. If it rains, remember to turn sprinklers off and let nature take care of the watering for the day.
- Mulch your flower or plant beds for weed control and to hold moisture in the ground.
- If you wash your own car, use a bucket of soapy water, and don’t let your water hose run continuously while washing.
- If you have pets and bath them, place them in an area that needs water. This will save money by allowing you to use that water twice.

Tapper Says

Has Your Information Changed?

If you operate a water or sewer utility and have any changes in your contact information such as phone number, mailing address or email address, please remember to report those changes to the Public Service Commission of West Virginia at lcoleman@psc.state.wv.us.

Have a Safe and Happy Summer!
Public Service Commission of West Virginia

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