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TOWN OF GILBERT, a municipal utility

OF

GILBERT, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING

WATER

at Gilbert, Mingo County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION
of
WEST VIRGINIA

Issued February 21, 2017

Effective for all service rendered on and after January 30,
2017, except as otherwise provided herein

Adopted by Town Council
on December 12, 2016.

ORDW Gilbert 16A

Issued by Town of Gilbert, a municipal utility

By *Dorian Springood*
Mayor
Title

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Water 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 within the entire territory served.

AVAILABILITY

Available for residential, commercial, industrial and sale for resale water service.

RATES

First	2,000 gallons used per month	\$12.50 per 1,000 gallons
Next	2,000 gallons used per month	\$10.00 per 1,000 gallons
Next	6,000 gallons used per month	\$ 6.85 per 1,000 gallons
All over	10,000 gallons used per month	\$ 5.25 per 1,000 gallons

(I,C) MINIMUM CHARGES

No minimum bill will be rendered for less than the following amounts based on meter size:

		EQUIVALENT GALLONS
5/8-inch meter	\$ 25.00 per month	2,000
3/4-inch meter	\$ 37.50 per month	3,250
1-inch meter	\$ 62.50 per month	6,555
1-1/4 inch meter	\$ 91.25 per month	10,981
1-1/2-inch meter	\$ 125.00 per month	17,410
2-inch meter	\$ 200.00 per month	31,695
3-inch meter	\$ 375.00 per month	65,029
4-inch meter	\$ 625.00 per month	112,648
6-inch meter	\$1,250.00 per month	231,695
8-inch meter	\$2,000.00 per month	374,552

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

\$45.00 per month equivalent to 4,000 gallons of water usage.

(O)

(O)

- (I) Indicates increase
- (C) Indicates change in text
- (O) Indicates omission

SCHEDULE I, (Continued)

SALES FOR RESALE

All water for resale will be billed in accordance with the approved rate of \$2.75 per 1,000 gallons used per month.

SERVICE CONNECTION CHARGE

The following charge is 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 \$350.00, or the actual cost of the connection (solely determined by the City), whichever is greater, 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.

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) WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

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

There shall 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.

Reconnection after hours (Monday – Friday after 4PM and anytime on holidays and weekends) an additional \$25.00 shall apply.

(C) Indicates change in text

SCHEDULE I, (Continued)

INCREMENTAL COSTS

Not to exceed \$3.85 per 1,000 gallons is to be used when a 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 usage. The Town shall establish a non-discriminatory policy regarding this provision for leak adjustments.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the Town or 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.

EFT, ACH, CREDIT CARD AN 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. Use of this payment method is voluntary.

SCHEDULE I, (Continued)SECURITY DEPOSIT

As of the date of passage, the applicable provision of WV Code 8-19-12a (a) (2):
“The municipality or governing body, but only of them, may collect from all new applicants for service a deposit of \$50 or two-twelfths of the annual usage of the applicant’s specific customer class, whichever is greater, to secure the payment of water service rates, fees and charges in the event they become delinquent as provided in this section. In any case where a deposit is forfeited to pay service rates, fees and charges which were delinquent and the user’s service is disconnected or terminated, no re-connection or reinstatement of service may be made by the municipality or governing body until another deposit equal to \$50 or a sum equal to two twelfths of the average usage for the applicant’s specific customer class, whichever is greater, is remitted to the municipality or governing body. After twelve months of prompt payment history, the municipality or governing body shall return the deposit to the customer or credit the customer’s account with interest at a rate as the Public Service commission may prescribe; *Provided* that where the customer is a tenant, the municipality or governing body is not required to return the deposit until the time the tenant discontinues service with the municipality or governing body. Whenever any rates, fees, rentals or charges for services or facilities furnished remain unpaid for a period of twenty days after the same become due and payable, the user of the services and facilities provided is delinquent and the user is liable at law until all rates, fees and charges are fully paid.. The municipality or governing body may, under reasonable rules promulgated by the Public Service Commission, shut off and discontinue water services to the delinquent user of water facilities ten days after the water services become delinquent regardless of whether the municipality or governing body utilizes the security deposit to satisfy any delinquent payments. *Provided further*, that nothing contained within the rules of the Public Service Commission shall be deemed to require any agents or employees of the municipality or governing body to accept payment at the customer’s premises in lieu of discontinuing service for a delinquent bill.

As of the date of passage, the applicable provision of the PSC Water rules, Rule 4.2.a.1:

“... for a municipal water system only, the deposit shall not be more than either fifty dollars (\$50) or two-twelfths of the average annual usage of the applicant’s specific customer class, whichever is greater”.

The tariff in accordance with the above cited statutory language and PSC water rates produce a security deposit of \$90.00 for residential customers.

SCHEDULE I, (Continued)

MUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed public utility tax computed on the basis of two percent of the revenue from water sales by the Town of Gilbert water utility located within the corporate limits of such municipalities, shall be billed as a “surcharge” to the customers receiving service within said corporate limits.

The water utility is required to collect the utility tax pursuant to West Virginia Code §8-13-5a.

Customers receiving water service within the corporate limits of the specified municipality shall pay a surcharge base on the following surcharge rates:

<u>Municipality</u>	<u>Utility Excise Tax</u>
Gilbert	2% Local Tax Rate

SCHEDULE II

APPLICABILITY

Applicable in all areas served by the Town of Gilbert.

AVAILABILITY OF SERVICE

Available for public and private fire protection service.

PRIVATE RATES

Where connections, sprinklers, etc., on property are maintained by customer:

2 inch service line with hydrants, sprinklers, and or connections	\$ 6.25 per month
3 inch service line with hydrants, sprinklers, and or connections	\$ 12.50 per month
4 inch service line with hydrants, sprinklers, and or connections	\$ 22.92 per month
6 inch service line with hydrants, sprinklers, and or connections	\$ 58.33 per month
8 inch service line with hydrants, sprinklers, and or connections	\$100.00 per month
10 inch service line with hydrants, sprinklers, and or connections	\$166.67 per month
12 inch service line with hydrants, sprinklers, and or connections	\$229.17 per month

PUBLIC RATES

An annual fee of \$50.00 per fire hydrant is assessed upon the Town of Gilbert and/or other municipal corporations where hydrants are located.

PERIODIC BILLING

The schedule of rates and charges above may be applied on a bi-monthly, quarterly, or semi-annual basis, provided no lower charges apply.