

Tariff Form No. 12
(Tariff Rule 44)

PUBLIC NOTICE OF CHANGE IN RATES BY MUNICIPALITIES

NOTICE is hereby given that the Town of Romney public utility, has adopted by ordinance on June 4, 2018 a tariff containing increased rates, tolls and charges for furnishing sewer service to 1,040 customers in the Town of Romney in the County of Hampshire in the state of West Virginia.

The proposed increased rates and charges will become effective July 20, 2018 unless otherwise ordered by the Public Service Commission and will produce approximately \$168,300.00 annually in additional revenue, an increase of approximately 20%. The average monthly bill for the various classes of customers will be changed as follows:

	Phase 1 (\$) Increase	Phase 1 Increase (%)	Phase 2 (\$) Increase	Phase 2 Increase (%)
Residential	\$4.24	9.96%	\$4.25	9.99%
Commercial	\$11.10	9.96%	\$11.10	9.96%
Industrial	\$8.71	9.96%	\$8.72	9.97%
Resale	\$751.24	10.01	N/A	N/A

Resale customers of the Town of Romney sewer system include Central Hampshire Public Service District.

The increases shown are based on averages of all customers in the indicated class. Individual customers may receive increases that are greater or less than average. Furthermore, the requested rates and charges are only a proposal and are subject to change (increases or decreases) by the Public Service Commission in its review of this filing. The Commission shall review and approve or modify the increased rates only upon the filing of a petition within thirty (30) days of the adoption of the ordinance changing said rates or charges, by:

(1) Any customer aggrieved by the changed rates or charges who presents to the Commission a petition signed by not less than twenty-five percent of the customers served by such municipally operated public utility; or

(2) Any customer who is served by a municipally operated public utility and who resides outside the corporate limits and who is affected by the change in said rate or chargers and who presents to the Commission a petition alleging discrimination between customers within and without the municipal boundaries. Said petition shall be accompanied by evidence of discrimination; or

(3) Any customer or group of customers who are affected by said change in rates who reside within said municipal boundaries and who present a petition to the Commission alleging discrimination between said customer or group of customers and other customers of the municipal utility. Said petition shall be accompanied by evidence of discrimination.

All petitions should be addressed to the Executive Secretary, Public Service Commission of West Virginia, 201 Brooks Street, P.O. Box 812, Charleston, West Virginia 25323.

A complete copy of the proposed rates, as well as a representative of the utility to provide any information requested concerning it, is available to all customers, prospective customers, or agents at the following office of the utility.

Town of Romney
340 E. Main Street
Romney, WV 26757

A copy of the proposed rates is available for public inspection at the office of the Executive Secretary of the Public Service Commission, 201 Brooks Street, P.O. Box 812, Charleston, West Virginia, 25323.

Town of Romney
Ordinance to Increase Sewer Rates

The adoption of the foregoing ordinance having been moved by Councilman Smith

And duly seconded by:

Councilman Lutenberger

The vote thereon was as follows:

SIGNATURE	VOTE (YES OR NO)
<u>William T. McKing</u>	<u>Yes</u>
<u>Gene D. Hill</u>	<u>Yes</u>
<u>John Duncan</u>	<u>Yes</u>
<u>Dawn All</u>	<u>Yes</u>
<u>Neil Lutenberger</u>	<u>Yes</u>
<u>James Smith</u>	<u>yes</u>

TOWN OF ROMNEY

AN ORDINANCE SETTING FORTH THE RATES, FEES AND CHARGES FOR SERVICE TO CUSTOMERS OF THE SEWERAGE SYSTEM OF THE TOWN OF ROMNEY.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF ROMNEY: The following rules, rates and charges are hereby fixed, determined and established for municipal sewerage services provided to all residential, commercial and industrial customers of the Town of Romney's Municipal Sewage Treatment Plant and Collection System, commencing upon the effective dates as hereinafter provided, and in accordance with the following Rates and Schedules:

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.

SECTION 1 – TARIFF

PHASE I

(Effective 45 Days after Passage)

APPLICABILITY

Applicable in the entire territory or area served.

AVAILABILITY OF SERVICE

Available for residential, commercial, and industrial (except unusual industrial waste) customers.

RATES (Based upon metered volume of water supplied)

First 50,000 gallons used per month	\$ 16.22	per 1,000 gallons
Over 50,000 gallons used per month	\$ 12.10	per 1,000 gallons
Resale Rate	\$ 7.58	per 1,000 gallons

MINIMUM BILL

The minimum charge shall be \$ 32.44 per month

MULTIPLE OCCUPANCY

For a multiple occupancy building, the Town shall charge a minimum monthly charge for each unit at the multiple occupancy building. The minimum monthly charge for each unit shall apply notwithstanding the fact the unit be unoccupied.

DELAYED PAYMENT PENALTY

The above tariff is net. On all accounts not paid in full within 20 days, a 10% charge will be added to the net current amount unpaid. The delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

TAP FEE

- (1) Typical 4-inch = \$1,000.00
- (2) To determine charges for any non-typical or larger than 4-inch tap, the cost/plus method will be used to determine an appropriate charge. The Tap Fee will be determined by the Town and the requesting party.
- (3) A typical tap shall be one whereas:
 - (a) The sewage shall flow by gravity from the customer's premises or boundary to the Town's collection main.
 - (b) May be accomplished by road-cut excavating and not require road-boring or jacking.
 - (c) Shall not exceed 50 feet in length from the customer's point of service to the main connection.

2% EXCISE TAX

An excise tax in the amount of 2% is imposed on the consumer, user, or purchaser within the corporate limits of the Town of Romney for public utility services. Such tax shall be computed on the basis of 2% of the gross amount of each periodic statement rendered and shall be included as part of the monthly bill to the consumer.

APPLICATION FOR SEWER SERVICE

In accordance with West Virginia Public Service Commission's rules and regulations, all applicants desiring sewer service will be required to make written application and pay a security deposit at the Town of Romney Municipal Office.

CUSTOMER DEPOSITS

Not to exceed two-twelfths (2/12) of the average annual usage of the customer's specific customer class for sewer service, or \$50.00, whichever is greater.

PROPERTY OWNER/TENANT

When applying for service, a tenant must provide the property owner's name and address of the premises to be served.

TERMINATION OF WATER SERVICE FOR NON-PAYMENT OF SEWER SERVICE

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Ordinance to Increase Sewer Rates

Whenever any sewer rates, fees or charges for services or facilities furnished remain unpaid past the latest pay date, the user of such services and facilities provided shall be delinquent. If any bill is determined to be delinquent in accordance with the Public Service Commission of West Virginia's rules and regulations, water service to the customer may be disconnected. Water service is to be disconnected in accordance with the Public Service Commission of West Virginia's rules and regulations. Water service will not be restored until all delinquent amounts and service fees have been paid in full in accordance with the applicable rules and regulations of the Public Service Commission of West Virginia.

COLLECTION PROCEDURES

Customers may pay their bill using check, money order, cash, certified check, and credit card. Customers may pay by mail, pay in person at the FNB Bank, Bank of Romney, or at the municipal office, or through the use of the deposit/drop-box at the municipal office.

EFT, CREDIT CARD AND DROP BOX PAYMENTS

A service charge will be imposed on electronic funds transfer, credit card or drop box payments equal to the actual charges from the financial institution.

RETURNED CHECK FEE

A service charge equal to the actual bank fee assessed to the utility up to a maximum of \$30.00 will be imposed upon any customer whose check for payment of charges is returned by their bank due to insufficient funds.

RECONNECT & DISCONNECT FEE

A charge of \$70.00 will be applied for any reconnection and disconnection of service.

LEAK ADJUSTMENTS

\$2.72 per 1,000 gallons is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on a customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

EQUIPMENT TAMPERING

Damaging or otherwise tampering with the Town of Romney's sewerage system, which includes, but is not limited to, all piping and meters used and useful in providing sewer service and all appurtenances thereof, is prohibited under the West Virginia Code. Violators shall be subject to potential termination of service, fines and penalties not to exceed \$2,000.00, in addition to the replacement cost, inclusive of material and labor, for damaged equipment.

SURCHARGE FORMULA TO BE APPLIED WHERE SURFACE DRAINAGE IS CONNECTED TO THE UTILITY'S SANITARY SYSTEM

Whenever 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

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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 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.

SURCHARGE 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.

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- Bi = Weight of BOD from unusual users in pounds per year.
- So = Average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound.
- Si = 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 at the owner's expense. 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 service 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 these 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.

PHASE II

(Twelve months after effective date)

APPLICABILITY

Applicable in the entire territory or area served.

AVAILABILITY OF SERVICE

Available for residential, commercial, and industrial (except unusual industrial waste) customers.

RATES (Based upon metered volume of water supplied)

First 50,000 gallons used per month	\$ 17.69	per 1,000 gallons
Over 50,000 gallons used per month	\$ 13.20	per 1,000 gallons
Resale Rate	\$ 7.58	per 1000 gallons

MINIMUM BILL

The minimum charge shall be \$ 35.38 per month
The minimum charge applies to all users including multiple occupancies.

MULTIPLE OCCUPANCY

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For a multiple occupancy building, the City shall charge a minimum monthly charge for each unit at the multiple occupancy building. The minimum monthly charge for each unit shall apply notwithstanding the fact the unit be unoccupied.

DELAYED PAYMENT PENALTY

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TAP FEE

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- (3) A typical tap shall be one whereas:
 - (a) The sewage shall flow by gravity from the customer's premises or boundary to the Town's collection main.
 - (b) May be accomplished by road-cut excavating and not require road-boring or jacking.
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CUSTOMER DEPOSITS

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RETURNED CHECK FEE

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RECONNECT & DISCONNECT FEE

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LEAK ADJUSTMENTS

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- Bo = Average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD) in dollars per pound.
- Bi = Weight of BOD from unusual users in pounds per year.
- So = Average unit cost of treatment (including sludge treatment) chargeable to total solids in dollars per pound.
- Si = 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 at the owner's expense. 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 service 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 these 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.

SECTION 2 – TARIFF EFFECTIVE DATE

The rates, charges and penalties provided herein shall become effective forty-five (45) days after enactment, or as soon thereafter as the same may be approved by the Public Service Commission of West Virginia.

SECTION 3 – SEVERABILITY; REPEAL OF CONFLICTING ORDINANCES

The provisions of this Ordinance are severable, and if any clause, provision or section hereof shall be held void or unenforceable by the West Virginia Public Service Commission or any court of competent jurisdiction, such holding shall not affect the remainder of this Ordinance. Upon the effective date hereof, all ordinances, resolutions, orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflicts, hereby repealed, and to the extent that the provisions of this Ordinance do not touch upon the provisions of prior ordinances, resolutions, orders or parts thereof, the same shall remain in full force and effect.

SECTION 4 – STATUTORY NOTICE AND PUBLIC HEARING

Upon introduction hereof, the Town Recorder shall cause to be published a copy of this Ordinance once a week for two (2) successive weeks within a period of fourteen (14) consecutive days, with at least six (6) days between each publication, in the *Hampshire Review*, a qualified newspaper of general circulation in the Town of Romney, and said notice shall state that this Ordinance has been introduced, and that any person interested may appear before Council on _____, _____, 2018, at ___:___ p.m., which date is not less than ten (10) days after the date of the first publication of the Ordinance and notice, and present any comment or protest thereto, following which hearing, Council shall take such action as it shall deem proper. Copies of this Ordinance shall be available to the public for inspection at the municipal office, 340 E. Main Street, Romney, West Virginia.

First
Reading: May 7, 2018

Second
Reading: May 16, 2018

Final Reading
and Public Hearing: June 4, 2018

TOWN OF ROMNEY, a municipal corporation

Mayor: 

Recorder: _____