

## Abatement Policy for Water and Wastewater Bills

Adopted 2/26/09

This policy is prospective only and not retroactive.

- (1) Regional Utilities shall abate a portion of a bill for no more than two (2) consecutive billing periods for Water and/or Wastewater service, under the following conditions:

### **CONDITIONS**

(a) **Abatement Due to Leak:**

1. The leak must be underground (not irrigation related), within a foundation, or inside a wall, excluding pools, and fountains, or auxiliary water sources, i.e., cisterns, wells, etc.; and
2. The leak must not be caused by the actions of the Customer or any other person, such as but not limited to: bulldozing, digging, lack of maintenance or a vehicle running over the line, except when the outside action is on public right-of-way beyond the customer's control for which there is no indication that the customer was negligent; and
3. The repair must be personally observed by a Regional Utilities designated employee or satisfactory evidence (i.e.: photos, repair bills, statement from plumber) of repairs must be presented. In all cases the leak must be repaired to the satisfaction of Regional Utilities; and
4. The Customer must request in writing that Regional Utilities abate the charges and include the above information in the request within ninety (90) days after discovering the leak. Failure to make a timely request shall be a waiver of the Customer's right to seek abatement.

(b) **Leaks Resulting Severe Weather:**

1. The leak is the result of severe weather conditions (i.e. hurricane, tornado, waterspout, etc.) which caused damage to the customer's water lines.

(c) **Disputed, Unusually High Consumption:**

1. Unusually high consumption shall be defined as consumption which causes the water bill to be higher than historical usage; and
2. The unusually high consumption must be disputed and is not the result of severe weather, a leak, filling of a pool, water used during construction, water used for new landscaping, excessive usage during seasonal or holiday months, or from any activity in which the high consumption may have been a result of customer negligence.

(d) **Irrigation leaks:**

1. While Regional Utilities strongly discourages the use of potable water for irrigation purposes, leaks in existing systems will be reviewed upon written request submitted within ninety (90) days after discovering the leak; and
2. The repair must be personally observed by a Regional Utilities designated employee or satisfactory evidence or repairs must be

- presented. In all cases the leak must be repaired to the satisfaction of Regional Utilities; and
3. The entire irrigation system is inspected and certified by a licensed irrigation specialist to be repaired and have no further leaks.

### **ABATEMENTS**

(2) After reviewing all the evidence and facts in the case, Regional Utilities may abate the charges. Regional Utilities decision shall be an Agency Decision as follows:

(a) Abatements for Leaks: For leaks which were not caused as a result of severe weather conditions, irrigation leaks or unexplained use, if abatement is granted,

- 1- the Customer will be required to pay their average monthly bill for water and wastewater; and
- 2- the minimum charge per 1,000 gallons for water and wastewater usage per ERC (conservation tiers will be removed for the adjustment) above the average use.
- 3- if it is proven that the water usage was not treated through the wastewater system, the adjustment will include an adjustment for the wastewater portion of the bill based on the previous 12 month average.

When previous consumption history is unavailable, Regional Utilities will use a monthly average of a comparable Residential User. For all other Users, Regional Utilities will use an average derived from similar Users in its Service Area (ex: restaurant, laundry, other commercial users).

(b) Abatements due to damage caused by Severe Weather: If the abatement is due to damage caused by severe weather conditions, if abatement is granted,

- 1- the Customer will be required to pay their average monthly bill for water and wastewater; and
- 2- the minimum charge per 1,000 gallons for water and wastewater usage per ERC (conservation tiers will be removed for the adjustment) above the average use.
- 3- if it is proven that the water usage was not treated through the wastewater system, the adjustment will include an adjustment for the wastewater portion of the bill based on the previous 12 month average.

(c) Abatement for Unusually High, Disputed Water Use: If the abatement is due to high consumption which is disputed or unexplained,

- 1- the Customer will be required to pay their average monthly bill for water and wastewater; and
- 2- the minimum charge per 1,000 gallons for water and wastewater usage per ERC (conservation tiers will be removed for the adjustment) above the average use.

Additional wastewater adjustments will not be considered for high, disputed water usage. When previous consumption history is

unavailable, Regional Utilities will use a monthly average of a comparable Residential User. For all other Users, Regional Utilities will use an average derived from similar Users in its Service Area (ex: restaurant, laundry, other commercial users).

- (d) Abatement for Irrigation Leaks: Regional Utilities will abate the wastewater usage of the bill beyond the average use for leaks in an irrigation system. No water abatements will be granted for the water usage caused by irrigation leaks.

### **TERMS**

- (3) For Leaks, Regional Utilities will only consider a maximum of one (1) abatement for a leak within a single twelve (12) month period on each Premises served. For Water Loss due to damage resulting from severe weather conditions, Regional Utilities will consider abatements following incidents of declared severe weather conditions. For Disputed High Water Consumption, Regional Utilities will only consider one (1) abatement for disputed, unexplained high water consumption, within a sixty (60) month period on each premises served. For Irrigation Leaks, Regional Utilities will only consider one (1) abatement for irrigation leaks within a sixty (60) month period for each premises served.

### **OTHER CONDITIONS**

- (4) If Regional Utilities determines that the Customer's Service Lines are in need of replacement, it shall so notify the Customer, who shall not be eligible for any further abatement until the Service Lines have been replaced.

### **REASONABLE ATTEMPT OF NOTIFICATION**

- (5) When Regional Utilities determines that unusually high water consumption is occurring at a premise, it will make a reasonable attempt to notify the Customer of such increased consumption as soon as practicable based on the information presented to the Company at the time of application. The Customer will be informed of the abatement procedure at the time notification is made. **Under no circumstances shall failure to provide such notice constitute a basis for imputing liability to Regional Utilities for any such increase water consumption. No meters will be turned off when high consumption is evident. It will be the Customer's responsibility to formally request a meter turn off.**