

## **Abatement Policy for Water and Wastewater Bills**

Adopted 2/26/09

Revised and Adopted 2/20/20

This policy is prospective only and not retroactive.

Florida Community Services Corp of Walton County D/B/A Regional Utilities may abate a portion of a bill for no more than two (2) consecutive billing periods for Water and/or Wastewater service. The Customer must request in writing that Regional Utilities abate the charges within ninety (90) days after the high consumption. Failure to make a timely request shall be a waiver of the Customer's right to seek abatement. An abatement will be considered under the following conditions:

### **Abatement Due to Leak:**

#### (a) CONDITIONS

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. Satisfactory evidence of repairs must be presented. (i.e.: photos, repair bills, statement from plumber) In all cases the leak must be repaired to the satisfaction of Regional Utilities.

#### (b) ABATEMENTS

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:

- 1- The abatement calculation will consist of removing the conservation tiers. In addition, the Customer will be required to pay their monthly bill based on the previous 12 months average for water and wastewater and, the minimum charge per 1,000 gallons for water and wastewater usage per ERC.
- 2- If it is proven that the water was not treated through the wastewater system, the sewer portion of the bill will be adjusted based on the previous 12 months 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).

#### (c) TERMS

For Leaks, Regional Utilities will only consider a maximum of one (1) abatement within a single twelve (12) month period for each Premise's served.

(d) VARIANCE

After reviewing all the evidence and facts in the case, Regional Utilities may consider one additional abatement due to leak within the one (1) year term. No more than two (2) adjustments per year.

- 1- If it is proven to be an unrelated incident from the prior adjustment and the water was not treated through the wastewater system based on the conditions above, the wastewater portion of the bill may be adjusted based on the previous twelve (12) months average. No water abatements will be considered in this variance.

**Disputed, Unusually High Consumption:**

(a) CONDITIONS

1. Unusually high consumption shall be defined as consumption which causes the water bill to be higher than historical usage. (i.e.: running toilets, running hoses, excessive water use either identified or unidentified.)
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.

(b) ABATEMENT

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:

- 1- The abatement calculation will consist of removing the conservation tiers. In addition, The Customer will be required to pay their monthly bill based on the previous 12 months average for water and wastewater and the minimum charge per 1,000 gallons for water and wastewater usage per ERC.

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).

(c) TERMS

For Disputed, Unusually High Water Consumption, Regional Utilities will only consider a maximum of one (1) abatement, within a sixty (60) month period for each premises served.

**Pool/Irrigation leaks:**

(a) CONDITIONS

1. While Regional Utilities strongly discourages the use of potable water for irrigation purposes, leaks will be reviewed upon written request.
2. Satisfactory evidence of repair must be presented; and,

3. Confirmation the water pertaining to pool leaks did not enter the wastewater system; and,
4. Written confirmation must be provided that specifies the entire pool/irrigation system has been inspected and certified by a licensed specialist to have no further leaks. In all cases the leak must be repaired to the satisfaction of Regional Utilities.

(b) ABATEMENT

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:

- 1- The abatement calculation will consist of removing the wastewater portion of the bill beyond the previous 12 months average use. No water abatements will be granted for the water usage caused by pool/irrigation leaks.

(c) TERMS

For Pool/Irrigation Leaks, Regional Utilities will only consider a maximum of one (1) abatement within a sixty (60) month period for each premises served.

### **Leaks Resulting Severe Weather:**

(a) CONDITIONS

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

(b) ABATEMENT

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:

- 1- The abatement calculation will consist of removing the conservation tiers. In addition, The Customer will be required to pay their average monthly bill based on the previous 12 months average for water and wastewater and the minimum charge per 1,000 gallons for water and wastewater usage per ERC.
- 2- If it is proven that the water was not treated through the wastewater system, the sewer portion of the bill will be adjusted based on the previous 12 months 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).

(c) TERMS

For Water Loss due to damage resulting from severe weather conditions, Regional Utilities will consider abatements following incidents of declared severe weather conditions.

**Pool Fill:**

(a) CONDITIONS

The water consumption must be associated with a pool fill only and shall not include any water used during construction, due to a leak, irrigation or outdoor cleaning (i.e.; pressure washing) or from any activity in which the consumption may have been a result of customer negligence.

(b) ABATEMENT

After reviewing all the evidence and facts in the case, Regional Utilities decision shall be an Agency Decision as follows:

- 1- The abatement will consist of removing the wastewater portion no more than 20,000 gallons for residential service and 40,000 gallons for commercial service.
- 2- Request must contain the days the water was used, as well as the size of the pool and approximate gallons consumed for the pool fill.

(c) TERMS:

For pool fills, Regional Utilities will only consider a maximum of (1) abatement within a single twelve (12) month period for each Premise's served.

**OTHER CONDITIONS**

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.

**It will be the Customer's responsibility to formally request a meter turn off. Water service will not be turned off when high consumption is evident without a formal customer request.**

**Only one abatement will be granted for any condition within a 12 month period excluding a variance regarding a leak adjustment. There will be no variance considered for disputed, unusually high consumption or irrigation leaks.**