

ELK VALLEY PUBLIC SERVICE DISTRICT, a public utility

OF

ELKVIEW, KANAWHA COUNTY, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING

SEWERAGE AND SEWAGE DISPOSAL SERVICE

at Clendenin, Elkview and Pinch, and in the Elk River area near Charleston,  
Kanawha County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION  
of  
WEST VIRGINIA

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Issued March 21, 2023

Effective for all service rendered  
on and after March 1, 2023.

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Issued by authority of an order of  
The Public Service Commission of West Virginia  
in Case No. 22-0854-PSD-19A final  
March 1, 2023.

Issued by ELK VALLEY PUBLIC SERVICE DISTRICT, a public utility

By \_\_\_\_\_

\_\_\_\_\_  
Title

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Sewerage 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 OF SERVICE

Available for general domestic, commercial, industrial service and sale for resale sewer service.

(I)(C) RATES\* (Customers with metered water supply)

Service Charge: \$26.50 per month

Usage Charge: \$ 8.65 per 1,000 gallons water usage

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

Equivalent of 4,500 gallons of water usage - \$65.43 per month

(I)(C) MINIMUM CHARGE\*

No minimum bill will be rendered for less than \$26.50 per month, which is the equivalent of the customer usage charge.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility up to 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.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills, a disconnection fee of \$20.00 shall be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for non-payment of sewer bills, is reconnected, a reconnection fee of \$20.00 shall be charged.

TOWN OF CLENDENIN PUBLIC UTILITY EXCISE TAX

The municipality listed below having imposed a public utility tax computed on the basis of two percent of revenues from sewer service sales by the sewer utility within the corporate limits of such municipality, said tax shall be billed as a "surcharge" to the customers receiving service within said corporate limits. The sewer utility is required to collect the utility tax pursuant to West Virginia Code §8-13-5A.

(I) Indicates increase

(C) Indicates change in text

SCHEDULE I (Continued)

(O)

(C) DELAYED PAYMENT PENALTY\*

The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant:

A tap fee of \$250.00 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 preconstruction tap fee will be invalid after the completion of construction adjacent to the applicant's premises that is associated with a certificate proceeding.

(I) A tap fee of \$350.00 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.

(I)(C) LEAK ADJUSTMENT INCREMENT\*

\$1.81 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on customer's side of the meter. This rate shall be applied to all such consumption above 200% of the customer's historical average usage.

(N) \*5.80% CASH WORKING CAPITAL RESERVE INCREMENT

5.80% of total billings at the indicated rates is required to be recorded as a credit to "Miscellaneous Operating Reserves", with related collections to be charged to "Other Special Funds" and deposited into a distinct CWCR Bank Account.

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

SCHEDULE II(C) SURFACE OR GROUNDWATER SURCHARGE\*APPLICABILITY

Wherever the utility has discovered that a customer's roof drain, downspout, storm sewer or similar facility 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 District in accordance with the Rules 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 collecting 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 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.

The surcharge shall be calculated and imposed for each month the condition continues to exist. Failure to pay the surcharge and/or correct the situation shall give rise to the possible termination of water in accordance with the Rules and Regulations of the Public Service Commission of West Virginia.

(C) Indicates change in text

SCHEDULE II (Continued)

- (N) \*5.80% CASH WORKING CAPITAL RESERVE INCREMENT  
5.80% of total billings at the indicated rates is required to be recorded as a credit to "Miscellaneous Operating Reserves", with related collections to be charged to "Other Special Funds" and deposited into a distinct CWCR Bank Account.

(N) Indicates new

SCHEDULE III(C) SURCHARGE FORMULA TO BE APPLIED IN THE CASES OF USERS PRODUCING UNUSUAL WASTE\*

The charge for the treatment of unusual waste will be calculated on the basis of the following formula:

$$C_i = V_oV_i + B_oB_i + S_oS_i$$

$C_i$  = charge to unusual users

$V_o$  = average unit cost of transport and treatment chargeable to volume, in dollars per 1,000 gallons

$V_i$  = volume of waste water from unusual users, in 1,000 gallons

$B_o$  = average unit cost of treatment, chargeable to Biochemical Oxygen Demand (BOD), in dollars per pound

$B_i$  = weight of BOD from unusual users, in pounds

$S_o$  = average unit costs of treatment (including sludge treatment) chargeable to total solids, in dollars per pound

$S_i$  = weight of total solids from unusual users, in pounds

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. Waste containing materials which, in the judgment of the District, 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 will be monitored on a regular basis and at the conclusion of each fiscal year, based on the investigation aforesaid and the 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 preliminary billing for the next fiscal year, at the end of which an adjustment will be made as aforesaid.

(N) \*5.80% CASH WORKING CAPITAL RESERVE INCREMENT

5.80% of total billings at the indicated rates is required to be recorded as a credit to "Miscellaneous Operating Reserves", with related collections to be charged to "Other Special Funds" and deposited into a distinct CWCR Bank Account.

(C) Indicates change in text

(N) Indicates new

SCHEDULE IV

Where the amount of sanitary sewage discharged into the waste treatment system by certain industrial plant or plants, cannot be accurately determined by the use of the plant's water meter or meters, and the plant cannot install a flow meter to measure such waste, a special formula will be used whereby such plant or plants will pay to the Elk Valley Public Service District a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.\*

(N) \*5.80% CASH WORKING CAPITAL RESERVE INCREMENT

5.80% of total billings at the indicated rates is required to be recorded as a credit to "Miscellaneous Operating Reserves", with related collections to be charged to "Other Special Funds" and deposited into a distinct CWCR Bank Account.

(N) Indicates new