

RECEIVED

2019 OCT -7 PM 4:10

P.S.C. W. Va. No. 14  
Canceling P.S.C. W. Va. No. 13

CITY OF MILTON, a municipal corporation

OF

MILTON, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING  
SEWERAGE AND SEWAGE DISPOSAL SERVICE

at Milton and vicinity, Cabell County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION  
of  
WEST VIRGINIA

Issued August 28, 2019

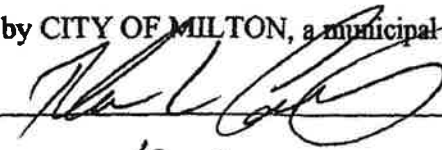
Effective for service rendered  
on or after September 1, 2019.

Adopted by City Council  
July 2, 2019.

ORDS Milton 19C

Issued by CITY OF MILTON, a municipal corporation

By

  
\_\_\_\_\_  
Mayor

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.

II. WATER METERS

Each meter shall be considered a separate billing unit in applying the rates. The registration of water on two or more meters shall be combined and billed to each user as though registered on one meter in the event that the meters are located in only one facility with one sanitary sewer connection subject to the approval of the Sanitary Board. In the event any person, firm or corporation discharging sanitary sewage, industrial waste, water or other liquid in the City's POTW, either directly or indirectly, obtains part or all of the water used by him from sources other than the Milton MUC and/or West Virginia-American Water Company, such user of other water shall, at his own expenses, install and maintain water meters satisfactory to the board for measuring all water usage other than that obtained from the Milton MUC and/or West Virginia-American Water Company, and the quantity of water used to determine the sewerage service charge, as above set forth, shall be the sum of the quantity measured by all such meters plus the quantity of water obtained from the Milton MUC and/or West Virginia-American Water Company.

III. WATER NOT ENTERING THE POTW

In the event it is established to the satisfaction of the Sanitary board that a portion of the water measured by the above-named meter or meters does not and cannot enter the public sanitary sewerage system, and in the event that the total water used by such person, firm or corporation exceeds 250,000 gallons per month, then the board may determine, in such manner and by such method as it may deem practical, the percentage of the metered water entering the sanitary sewerage system, or the board may require or permit the installation of additional meters in such a manner as to determine either the quantity of the water excluded from the sewerage system or the quantity of water, sewerage or industrial waste actually entering the sewerage system, exclusive of storm water runoff. The sewerage service charge shall be based upon the quantity of water estimated, measured or computed by the Board to be actually entering the sewerage system, exclusive of storm water runoff, subject to the minimum charge provision.

**III. WATER NOT ENTERING THE POTW (Continued)**

Persons, industries or corporation requesting consideration for a reduction in the sewerage service charge because of water not entering the POTW shall make written application to the Board for such consideration, giving the name of the firm, industry or business, address, Milton MUC and/or West Virginia-American Water account number and supporting data fully describing other sources entering the POTW. Upon request by the Board, the application shall be accompanied by a sketch to approximate scale showing the plan of the property, water distribution system, sewer layout, existing meters and any proposed meters in sufficient detail to determine the quantity of flow entering, or not entering, the sewerage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Milton MUC and/or West Virginia-American Water Company shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Board.

SCHEDULE I

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for domestic, commercial, industrial sewer service (except unusual industrial waste).

RATES

First 100,000 gallons used per month	\$12.50 per 1,000 gallons
All over 100,000 gallons used per month	11.54 per 1,000 gallons

FLAT RATE CHARGE (non metered water supply)

Equivalent of 4,500 gallons of water usage, \$56.25 per month.

MINIMUM BILL

No bill will be rendered for less than \$28.13 per month which is the equivalent 2,250 gallons of water per customer per month

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to any reason.

WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills, a disconnection fee of \$30.00 shall be charged; or in the event the delinquent sewer bill is collected by the City in the field, an administrative fee of \$30.00 shall be charged. A \$30.00 reconnection fee will be assessed for each occurrence where water service to water customers is restored, after water service has been terminated for non-payment of sewer bills.

SCHEDULE I (Continued)

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full within twenty (20) days of the billing date, a ten percent (10%) penalty may be added to the net amount shown. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

SERVICE CONNECTION CHARGE

The general charge for making each service connection shall be the greater of \$500.00 or the actual cost of the installation as determined by the City of Milton.

LEAK ADJUSTMENT

\$6.30 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of the meter. This rate is used to calculate consumption above the customer's historical average usage.

SECURITY DEPOSIT

WV Code establishes the security deposit. Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service (4,000) gallons, or two-twelfths (2/12) of the annual estimated charge for all other service (as determined by the City), or \$50.00, whichever is greater. The residential security deposit for this rate schedule is \$100.00.

EFT, ACH, CREDIT CARD AND 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.

(N) SEWER SURCHARGE

There shall be a sewer surcharge in the amount of two percent (2%) on sewer rates for customers who are non-residents of the City of Milton.

(N) Indicates new

SCHEDULE IISURFACE OR GROUND WATER SURCHARGE

An additional amount shall be charged where surface or ground water is introduced into the sanitary system where evidence of a violation exists.

Surcharge formula to be applied in cases where surface drainage is connected to the utility's sewer system.

APPLICABILITY

Whenever the utility has discovered that a customer's roof drain, down spout, 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 City in accordance with the Rules and 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
- .0008333 - A conversion factor to change inches of rain x square feet of surface water to \$ per 100 cubic feet
- 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.

SCHEDULE IIISURCHARGE FORMULA 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 year

$B_i$  = weight of BOD from unusual users in pounds per year

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

$S_i$  = 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. Waste containing materials which, in the judgement of the Milton Municipal Utilities Commission, 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 thereof, 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 audit of the Milton Municipal Utilities Commission 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 Milton Municipal Utilities Commission, 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.

SCHEDULE NO. IV

APPLICABLE INSIDE AND OUTSIDE OF THE CORPORATE LIMITS OF MILTON

Where the amount of sanitary sewage discharged into the Milton 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 said 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 Milton Municipal Utilities Commission a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.



SCHEDULE NO. V

APPLICABILITY

Applicable in entire territory served

AVAILABILITY OF SERVICE

Available for wastewater and leachate haulers

RATES

Commodity Charge - Each hauler shall pay a commodity charge of \$49.55 per 1,000 gallons per load. Load will be the actual capacity of the truck or other transport method delivering wastewater and leachate. Actual capacity shall be determined or verified by the City.

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank for any reason.

DELAYED PAYMENT PENALTY

The above schedule is net. On all current usage billings not paid in full within twenty (20) days of the billing date, ten percent (10%) will be added to the net amount shown. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

SERVICE CONNECTION CHARGE

The general charge for making each service connection shall be the greater of \$500.00 or the actual cost of the installation as determined by the City of Milton.

SECURITY DEPOSIT

WV Code establishes the security deposit. Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service (4,000 gallons), or two-twelfths (2/12) of the annual estimated charge for all other service (as determined by the City), or \$50.00, whichever is greater. The residential security deposit for this rate schedule is \$100.00.

EFT, ACH, CREDIT CARD OR BOX DROP 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.

SCHEDULE VI

MUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed 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 municipalities, 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 Section 8-1 3-5a.

Customers receiving sewer service within the corporate limits of the specified municipality shall pay a surcharge at the following surcharge rates.

Utility Excise Tax

<u>Municipality</u>	<u>Local Tax Rate</u>	<u>Surcharge Rate</u>
Milton	2%	2%

RECEIVED

2019 OCT -7 PM 4:10

SUPPLEMENT NO. 1 TO P.S.C. W. Va. No. 14  
Canceling P.S.C. W. Va. No. 13

WV  
MILTON, WEST VIRGINIA

CITY OF MILTON, a municipal corporation

OF

MILTON, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING

SEWERAGE AND SEWAGE DISPOSAL SERVICE

at Milton and vicinity, Cabell County, West Virginia

Filed with THE PUBLIC SERVICE COMMISSION  
of  
WEST VIRGINIA

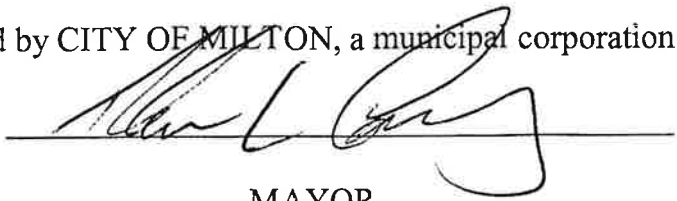
Issued October 7, 2019

Effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs

Adopted by City Council  
October 1, 2019.

Issued by CITY OF MILTON, a municipal corporation

By



MAYOR

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.

II. WATER METERS

Each meter shall be considered a separate billing unit in applying the rates. The registration of water on two or more meters shall be combined and billed to each user as though registered on one meter **in the event that the meters are located in only one facility with one sanitary sewer connection** subject to the approval of the Sanitary Board. In the event any person, firm or corporation discharging sanitary sewage, industrial waste, water or other liquid in the City's POTW, either directly or indirectly, obtains part or all of the water used by him from sources other than the Milton MUC and/or West Virginia-American Water Company, such user of other water shall, at his own expenses, install and maintain water meters satisfactory to the board for measuring all water usage other than that obtained from the Milton MUC and/or West Virginia-American Water Company, and the quantity of water used to determine the sewerage service charge, as above set forth, shall be the sum of the quantity measured by all such meters plus the quantity of water obtained from the Milton MUC and/or West Virginia-American Water Company.

III. WATER NOT ENTERING THE POTW

In the event it is established to the satisfaction of the Sanitary board that a portion of the water measured by the above-named meter or meters does not and cannot enter the public sanitary sewerage system, and in the event that the total water used by such person, firm or corporation exceeds 250,000 gallons per month, then the board may determine, in such manner and by such method as it may deem practical, the percentage of the metered water entering the sanitary sewerage system, or the board may require or permit the installation of additional meters in such a manner as to determine either the quantity of the water excluded from the sewerage system or the quantity of water, sewerage or industrial waste actually entering the sewerage system, exclusive of storm water runoff. The sewerage service charge shall be based upon the quantity of water estimated, measured or computed by the Board to be actually entering the sewerage system, exclusive of storm water runoff, subject to the minimum charge provision.

RECEIVED  
MAY 17 7 10 PM '10

III. WATER NOT ENTERING THE POTW (Continued)

Persons, industries or corporation requesting consideration for a reduction in the sewerage service charge because of water not entering the POTW shall make written application to the Board for such consideration, giving the name of the firm, industry or business, address, Milton MUC and/or West Virginia-American Water account number and supporting data fully describing other sources entering the POTW. Upon request by the Board, the application shall be accompanied by a sketch to approximate scale showing the plan of the property, water distribution system, sewer layout, existing meters and any proposed meters in sufficient detail to determine the quantity of flow entering, or not entering, the sewerage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Milton MUC and/or West Virginia-American Water Company shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Board.

SCHEDULE I

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for domestic, commercial, industrial sewer service (except unusual industrial waste).

(I) RATES

First	100,000 gallons used per month	\$14.81 per 1,000 gallons
All over	100,000 gallons used per month	13.67 per 1,000 gallons

(I) FLAT RATE CHARGE (non metered water supply)

Equivalent of 4,500 gallons of water usage, \$66.65 per month.

(I) MINIMUM BILL

No bill will be rendered for less than \$33.32 per month which is the equivalent 2,250 gallons of water per customer per month

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to any reason.

WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills, a disconnection fee of \$30.00 shall be charged; or in the event the delinquent sewer bill is collected by the City in the field, an administrative fee of \$30.00 shall be charged. A \$30.00 reconnection fee will be assessed for each occurrence where water service to water customers is restored, after water service has been terminated for non-payment of sewer bills.

(I) Indicates increase

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

SCHEDULE I (Continued)DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full within twenty (20) days of the billing date, a ten percent (10%) penalty may be added to the net amount shown. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

SERVICE CONNECTION CHARGE

The general charge for making each service connection shall be the greater of \$500.00 or the actual cost of the installation as determined by the City of Milton.

LEAK ADJUSTMENT

\$6.30 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of the meter. This rate is used to calculate consumption above the customer's historical average usage.

SECURITY DEPOSIT

WV Code establishes the security deposit. Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service (4,000) gallons, or two-twelfths (2/12) of the annual estimated charge for all other service (as determined by the City), or \$50.00, whichever is greater. The residential security deposit for this rate schedule is \$100.00.

EFT, ACH, CREDIT CARD AND 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.

SEWER SURCHARGE

There shall be a sewer surcharge in the amount of two percent (2%) on sewer rates for customers who are non-residents of the City of Milton.

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

SCHEDULE IISURFACE OR GROUND WATER SURCHARGE

An additional amount shall be charged where surface or ground water is introduced into the sanitary system where evidence of a violation exists.

Surcharge formula to be applied in cases where surface drainage is connected to the utility's sewer system.

APPLICABILITY

Whenever the utility has discovered that a customer's roof drain, down spout, 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 City in accordance with the Rules and 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
- .0008333 - A conversion factor to change inches of rain x square feet of surface water to \$ per 100 cubic feet
- 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.

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**



SCHEDULE IIISURCHARGE FORMULA 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 year

$B_i$  = weight of BOD from unusual users in pounds per year

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

$S_i$  = 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. Waste containing materials which, in the judgement of the Milton Municipal Utilities Commission, 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 thereof, 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 audit of the Milton Municipal Utilities Commission 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 Milton Municipal Utilities Commission, 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.

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

SCHEDULE NO. IV

APPLICABLE INSIDE AND OUTSIDE OF THE CORPORATE LIMITS OF MILTON

Where the amount of sanitary sewage discharged into the Milton 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 said 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 Milton Municipal Utilities Commission a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

(O)

SCHEDULE NO. V

(O) Indicates omission

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

SCHEDULE VIMUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed 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 municipalities, 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 Section 8-1 3-5a.

Customers receiving sewer service within the corporate limits of the specified municipality shall pay a surcharge at the following surcharge rates.

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

**Adopted by City Council on October 1, 2019 to become effective upon commencement of construction of sewer improvement project or upon commencement of payment of debt service associated with said project, whichever first occurs.**

SUPPLEMENT NO. 2 TO P.S.C. W. Va. No. 14

---

CITY OF MILTON, a municipal corporation  
OF  
MILTON, WEST VIRGINIA  
RATES, RULES AND REGULATIONS FOR FURNISHING  
SEWERAGE AND SEWAGE DISPOSAL SERVICE  
at Milton and vicinity, Cabell County, West Virginia  
Filed with THE PUBLIC SERVICE COMMISSION  
of  
WEST VIRGINIA

---

Issued April 15, 2022

Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur

---

Adopted by City Council  
April 11, 2022

Issued by CITY OF MILTON, a municipal corporation

By *Robert R. Rodde*

ITS COUNSEL

Title

CITY OF MILTON (SEWER)

SUPPLEMENT NO. 2 TO P.S.C. W. Va. No. 14  
Original Sheet No. 1

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.

II. WATER METERS

Each meter shall be considered a separate billing unit in applying the rates. The registration of water on two or more meters shall be combined and billed to each user as though registered on one meter **in the event that the meters are located in only one facility with one sanitary sewer connection** subject to the approval of the Sanitary Board. In the event any person, firm or corporation discharging sanitary sewage, industrial waste, water or other liquid in the City's POTW, either directly or indirectly, obtains part or all of the water used by him from sources other than the Milton MUC and/or West Virginia-American Water Company, such user of other water shall, at his own expenses, install and maintain water meters satisfactory to the board for measuring all water usage other than that obtained from the Milton MUC and/or West Virginia-American Water Company, and the quantity of water used to determine the sewerage service charge, as above set forth, shall be the sum of the quantity measured by all such meters plus the quantity of water obtained from the Milton MUC and/or West Virginia-American Water Company.

III. WATER NOT ENTERING THE POTW

In the event it is established to the satisfaction of the Sanitary board that a portion of the water measured by the above-named meter or meters does not and cannot enter the public sanitary sewerage system, and in the event that the total water used by such person, firm or corporation exceeds 250,000 gallons per month, then the board may determine, in such manner and by such method as it may deem practical, the percentage of the metered water entering the sanitary sewerage system, or the board may require or permit the installation of additional meters in such a manner as to determine either the quantity of the water excluded from the sewerage system or the quantity of water, sewerage or industrial waste actually entering the sewerage system, exclusive of storm water runoff. The sewerage service charge shall be based upon the quantity of water estimated, measured or computed by the Board to be actually entering the sewerage system, exclusive of storm water runoff, subject to the minimum charge provision.

CITY OF MILTON (SEWER)

SUPPLEMENT NO. 2 TO P.S.C. W. Va. No. 14  
Original Sheet No. 2

III. WATER NOT ENTERING THE POTW (Continued)

Persons, industries of corporation requesting consideration for a reduction in the sewerage service charge because of water not entering the POTW shall make written application to the Board for such consideration, giving the name of the firm, industry or business, address, Milton MUC and/or West Virginia-American Water account number and supporting data fully describing other sources entering the POTW. Upon request by the Board, the application shall be accompanied by a sketch to approximate scale showing the plan of the property, water distribution system, sewer layout, existing meters and any proposed meters in sufficient detail to determine the quantity of flow entering, or not entering, the sewerage system. The cost of furnishing, installing and maintaining any meters other than those utilized to measure water purchased from the Milton MUC and/or West Virginia-American Water Company shall be borne by the applicant. The type, size, location, arrangement and maintenance of such meters shall be subject to the approval of the Board.

SCHEDULE I

APPLICABILITY

Applicable within the entire territory served.

AVAILABILITY OF SERVICE

Available for domestic, commercial, industrial sewer service (except unusual industrial waste).

(I) RATES

First	100,000 gallons used per month	\$16.74 per 1,000 gallons
All over	100,000 gallons used per month	\$15.45 per 1,000 gallons

(I) FLAT RATE CHARGE (non-metered water supply)

Equivalent of 4,500 gallons of water usage, \$75.33 per month.

(I) MINIMUM BILL

No bill will be rendered for less than \$37.67 per month which is the equivalent 2,250 gallons of water per customer per month

RETURNED CHECK CHARGE

A service charge of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to any reason.

WATER DISCONNECT-RECONNECT-ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills, a disconnection fee of \$30.00 shall be charged; or in the event the delinquent sewer bill is collected by the City in the field, an administrative fee of \$30.00 shall be charged. A \$30.00 reconnection fee will be assessed for each occurrence where water service to water customers is restored, after water service has been terminated for non-payment of sewer bills.

(I) Indicates increase

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**



SCHEDULE I (Continued)

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full within twenty (20) days of the billing date, a ten percent (10%) penalty may be added to the net amount shown. This delayed payment penalty is not interest and is only to be collected once for each bill where it is appropriate.

SERVICE CONNECTION CHARGE

The general charge for making each service connection shall be the greater of \$500.00 or the actual cost of the installation as determined by the City of Milton.

LEAK ADJUSTMENT

\$6.30 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on customer's side of the meter. This rate is used to calculate consumption above the customer's historical average usage.

SECURITY DEPOSIT

WV Code establishes the security deposit. Not to exceed two-twelfths (2/12) of the annual estimated charge for residential service (4,000) gallons, or two-twelfths (2/12) of the annual estimated charge for all other service (as determined by the City), or \$50.00, whichever is greater. The residential security deposit for this rate schedule is \$100.00.

EFT, ACH, CREDIT CARD AND 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.

SEWER SURCHARGE

There shall be a sewer surcharge in the amount of two percent (2%) on sewer rates for customers who are non-residents of the City of Milton.

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**

SCHEDULE II

SURFACE OR GROUND WATER SURCHARGE

An additional amount shall be charged where surface or ground water is introduced into the sanitary system where evidence of a violation exists.

Surcharge formula to be applied in cases where surface drainage is connected to the utility's sewer system.

APPLICABILITY

Whenever the utility has discovered that a customer's roof drain, down spout, 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 City in accordance with the Rules and 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
- .0008333 - A conversion factor to change inches of rain x square feet of surface water to \$ per 100 cubic feet
- 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.

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**

SCHEDULE IIISURCHARGE FORMULA 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:

$$C_i = V_oV_i + B_oB_i + S_oS_i$$

$C_i$  = 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 year

$B_i$  = weight of BOD from unusual users in pounds per year

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

$S_i$  = 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. Waste containing materials which, in the judgement of the Milton Municipal Utilities Commission, 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 thereof, 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 audit of the Milton Municipal Utilities Commission 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 Milton Municipal Utilities Commission, 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.

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**

SCHEDULE NO. IV

APPLICABLE INSIDE AND OUTSIDE OF THE CORPORATE LIMITS OF MILTON

Where the amount of sanitary sewage discharged into the Milton 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 said 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 Milton Municipal Utilities Commission a sewer charge calculated at fifty (50) gallons of water per each employee at the plant each working day.

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**

(O)

SCHEDULE NO. V

(O) Indicates omission

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**

SCHEDULE VI

MUNICIPAL EXCISE TAX SURCHARGE

The municipality listed below, having imposed 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 municipalities, 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 Section 8-1 3-5a.

Customers receiving sewer service within the corporate limits of the specified municipality shall pay a surcharge at the following surcharge rates.

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

**Adopted by City Council on April 11, 2022 to become Effective upon substantial completion of construction of sewer improvement project approved in Case No. 19-1048-S-CN or ninety (90) days in advance of commencement of debt service for the project, whichever shall first occur.**