

**BEFORE THE COUNTY COUNCIL OF BERKELEY COUNTY, WEST VIRGINIA**

**IN RE:           APPROVAL of SEWER USE FEES, RATES and CHARGES  
ADOPTED BY BERKELEY COUNTY PUBLIC SERVICE SEWER  
DISTRICT RESOLUTION, on SEPTEMBER 1, 2015**

Following public hearing with regard to the Berkeley County Public Service Sewer District's request that the Council approve the imposition by that body of a pass-through increase in customer fees, rates and charges occasioned by a commensurate increase in costs of service passed on to the District by its service provider, the City of Martinsburg, West Virginia, the Council gave due consideration to such request.

After vigorous questioning of members of the District's Board and Staff, a motion to approve the requested imposition of the increase was made and seconded. Council voted unanimously to approve the increase and to waive the normal 45 day period before effecting that increase, thus, making the increase effective immediately.

All of the above is ORDERED, ADJUDGED and DECREED.

Entered this the 17<sup>th</sup> day of September, 2015.



A handwritten signature in blue ink, reading "John W. Small, Jr.", is written over the "ATTEST:" text.

JOHN W. SMALL, JR., CLERK

A handwritten signature in blue ink, reading "Douglas E. Copenhaver, Jr.", is written above the printed name.

Douglas E. Copenhaver, Jr., President

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**BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT**  
a public utility

of

MARTINSBURG, BERKELEY COUNTY, WEST VIRGINIA

RATES, RULES AND REGULATIONS FOR FURNISHING

**SEWERAGE AND SEWAGE DISPOSAL SERVICE**  
in all areas served by the Berkeley County Public Service Sewer District

Filed with **THE PUBLIC SERVICE COMMISSION**  
of  
**WEST VIRGINIA**

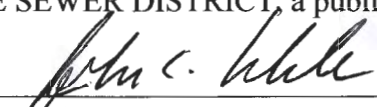
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Issued September 1, 2015.      Effective for all bills issued on or after \_\_\_\_\_, 2015,  
except as otherwise provided herein

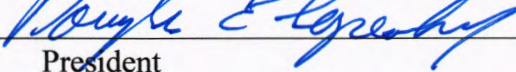
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Issued by authority of the Berkeley County Public Service Sewer District  
under a Resolution dated September 1, 2015, and approved by the  
Berkeley County Council on \_\_\_\_\_, 2015,  
pursuant to W. Va. Code §16-13A-9.

Issued by **BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT**, a public utility:

By:   
Its: Chairman

Approved by the **BERKELEY COUNTY COUNCIL**, a political subdivision of the State of  
West Virginia:

By:   
Its: President

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Sewerage Utilities, as applicable, 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 to all customers served by the Berkeley County Public Service Sewer District other than customers formerly served by Sylvan Grove Waste Treatment, Inc.

AVAILABILITY

Available for general domestic, commercial and industrial service.

(I) RATES (Customers with metered water supply)

Service Charge:	\$9.62 per month
Usage Charge:	\$9.62 per 1,000 gallons

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

Equivalent of 3,900 gallons of water usage, or 47.14 per month.

TAP FEE

The following charge is to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of \$350.00 will be charged to customers applying for service outside of a certificate proceeding before the Commission for each new tap to the system.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) 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.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

(I) Indicates increase

SCHEDULE I (Continued)

(I) LEAK ADJUSTMENT

\$1.65 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

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.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(I) Indicates increase

SCHEDULE II

APPLICABILITY

Applicable to all former customers of Sylvan Grove Waste Treatment, Inc.

AVAILABILITY

Available for general domestic, commercial and industrial service.

(I) RATES (Customers with metered water supply)

First	3,000 gallons per month:	\$10.17 per 1,000 gallons
Next	7,000 gallons per month:	\$ 8.91 per 1,000 gallons
All Over	10,000 gallons per month:	\$ 6.58 per 1,000 gallons

(I) MINIMUM CHARGE

No bill will be rendered for less than \$29.46 per month.

TAP FEE

The following charge is 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 outside of a certificate proceeding before the Commission for each new tap to the system.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) 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.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged.

Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

(I) Indicates increase

SCHEDULE II (Continued)

(I) LEAK ADJUSTMENT

\$1.65 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

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.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(I) Indicates increase

SCHEDULE III

SURFACE OR GROUNDWATER SURCHARGE

An additional amount shall be charged where surface or groundwater is introduced into the sanitary sewer 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, downspout, storm sewer or similar facilities that conduct 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 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 = A x R x .0006233 x 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 rainfall, in inches
- 0.0006233 = a conversion factor to change inches of rain x square feet of surface water to thousands of gallons of water
- C = the utility's approved rate per thousand gallons of metered water usage

The District 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 water from the sanitary sewer system.

Said surcharge shall be calculated and imposed for each month that the 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.



BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT  
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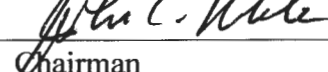
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Issued September 1, 2015.      Effective for all service rendered after the Project engineer issues a certificate of completion of Milestone No. 1 when the WWTP upgrades become operational and permit compliant, except as otherwise provided herein.

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Issued by authority of an order of  
The Public Service Commission of West Virginia  
in Case No. 13-1836-PSD-42A-CN dated  
January 30, 2015.

Issued by BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT, a public utility:

By:   
Its: Chairman

BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

**SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19**

Original Sheet No. 1

RULES AND REGULATIONS

- I. Rules and Regulations for the Government of Sewerage Utilities, as applicable, 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.

BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19

Original Sheet No. 2

SCHEDULE I

APPLICABILITY

Applicable to all customers served by the Berkeley County Public Service Sewer District other than customers formerly served by Sylvan Grove Waste Treatment, Inc.

AVAILABILITY

Available for general domestic, commercial and industrial service.

(I) RATES (Customers with metered water supply)

Service Charge:	\$13.17 per month
Usage Charge:	\$12.68 per 1,000 gallons

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

Equivalent of 3,900 gallons of water usage, or 62.62 per month.

TAP FEE

The following charge is to be made whenever the utility installs a new tap to serve an applicant. A tap fee of \$350.00 will be charged to customers applying for service outside of a certificate proceeding before the Commission for each new tap to the system.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) 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.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged. Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

(I) Indicates increase

**Issued by authority of an Order of the Public Service Commission of West Virginia in Case No. 13-1836-PSD-42A-CN dated January 30, 2015 to become effective upon substantial completion of the Milestone 1 project approved in the Order.**

BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19

Original Sheet No. 3

SCHEDULE I (Continued)

(I) LEAK ADJUSTMENT

\$3.63 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

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.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(I) Indicates increase

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BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19

Original Sheet No. 4

SCHEDULE II

APPLICABILITY

Applicable to all former customers of Sylvan Grove Waste Treatment, Inc.

AVAILABILITY

Available for general domestic, commercial and industrial service.

(I) RATES (Customers with metered water supply)

First	3,000 gallons per month:	\$13.43 per 1,000 gallons
Next	7,000 gallons per month:	\$11.71 per 1,000 gallons
All Over	10,000 gallons per month:	\$ 8.53 per 1,000 gallons

(I) MINIMUM CHARGE

No bill will be rendered for less than \$40.29 per month.

TAP FEE

The following charge is 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 outside of a certificate proceeding before the Commission for each new tap to the system.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) 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.

DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Whenever water service has been disconnected for non-payment of sewer bills in conjunction with a water service termination agreement, a disconnection fee of \$20.00 will be charged; or, in the event the delinquent sewer bill is collected by the water company, an administrative fee of \$20.00 will be charged. Whenever water service, which has been previously disconnected or otherwise withheld for nonpayment of a sewer bill, in conjunction with a water service termination agreement, is reconnected, a reconnection fee of \$20.00 shall be charged.

(I) Indicates increase

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BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

**SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19**

Original Sheet No. 5

SCHEDULE II (Continued)

(D) LEAK ADJUSTMENT

\$1.22 per 1,000 gallons is to be used when the bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

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.

SECURITY DEPOSIT

Not to exceed two-twelfths (2/12) of the average annual usage of the applicant's specific customer class, or fifty dollars, whichever is greater. This fee may be changed by applicable statutory provisions.

(D) Indicates decrease

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SCHEDULE III

SURFACE OR GROUNDWATER SURCHARGE

An additional amount shall be charged where surface or groundwater is introduced into the sanitary sewer 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, downspout, storm sewer or similar facilities that conduct 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 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	=	A x R x .0006233 x 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 rainfall, in inches
0.0006233	=	a conversion factor to change inches of rain x square feet of surface water to thousands of gallons of water
C	=	the utility's approved rate per thousand gallons of metered water usage

The District 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 water from the sanitary sewer system.

**Issued by authority of an Order of the Public Service Commission of West Virginia in Case No. 13-1836-PSD-42A-CN dated January 30, 2015 to become effective upon substantial completion of the Milestone 1 project approved in the Order.**

BERKELEY COUNTY PUBLIC SERVICE SEWER DISTRICT

**SUPPLEMENT NO. 1 to P.S.C. W. Va. No. 19**

Original Sheet No. 7

SCHEDULE III (Continued)

SURFACE OR GROUNDWATER SURCHARGE (Continued)

APPLICABILITY (Continued)

Said surcharge shall be calculated and imposed for each month that the 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.

**Issued by authority of an Order of the Public Service Commission of West Virginia in Case No. 13-1836-PSD-42A-CN dated January 30, 2015 to become effective upon substantial completion of the Milestone 1 project approved in the Order.**