

To: Patrick W. Cleary, BCWSA

From: Woody Hill

Jan. 10, 2016

Dear Mr. Cleary,

I received your billing explanation but it continues to puzzle me. It does not have any finite criteria for your "connection fees". I would like to address some of your statements from my perspective. The connection fee "is the fixed cost to be part of the system" and "is very similar to how most utilities bill their customers". Most utilities do have a connection charge or line charge, but one connection equals one charge. I have only one connection. PECO bills per meter connection, Phila. Water Dept. bills per meter connection, I believe this is how any utility I know of is billed. This is my main complaint. Another complaint is that because you are a public utility, and have a monopoly on the water service I do not understand why there is no independent agency monitoring your billing practices. PECO has the PUC and Philadelphia Water Dept. is monitored by the Community Legal Services of Philadelphia. Are you connected to some other agency? This lack of independent oversight is also concerning.

In your explanation letter you also state that my rate is based on Bucks County tax records and zoning. I know of no other utility that does this and I don't see how it relates to your business of selling water. You also state that when you acquired my account from Middletown Township it had three connection fees associated with it. This is untrue, Middletown always billed it as one line and only billed by volume through one meter because it has always been one line. You only have to check your own billing records as recently as December of 2011 to verify that the water was billed based on consumption through one meter. Note that PECO considers a building with 2 to 5 units going through one meter a residence and bills accordingly.

I requested on December 2, 2015 that a rate sheet be sent to me. I still have not received it. I am including a link to Philadelphia Water Departments "What's in my bill?" web page, <http://www.phila.gov/water/PDF/RatesInfo.pdf>. This is what I expect from you. It seems to me that it would be much cheaper to buy my water from them, contrary to your recent statement in the Courier Times. It is difficult for me to monitor my own water use because you have been so inconsistent in reading my meter. The read dates vary from the 2<sup>nd</sup> of the month to the 12<sup>th</sup>, it makes it hard to verify the numbers. Also I would like you to send me instructions on reading the new meters so there is no misunderstanding.

Thank you,

Woody Hill

January 29, 2016

To: Patrick Cleary, BCWSA

From: Woody Hill

Dear Mr. Cleary,

I am waiting for Mr. Butler's written summary as we discussed in our Jan. 20<sup>th</sup> phone meeting. I am still totally baffled by the "semantics" involved in our conversation about being billed for EDUs. I did look on the PA DEP website as he suggested, but I don't see how they relate to my monthly bill. What I read on the website relates to getting permits for new construction and evaluating capacity for additions to the existing system. These do not relate to current billing and do not represent any recurring monthly costs to you. The way I understand your business is that your costs are the line and equipment maintenance, of which I represent one 1" line and one 4" sewer lateral. Your other costs are to purchase water measured in gallons and resell it through your system; also to pay someone to process the sewage measured by the gallon. Water in, sewage out, all measured by a meter in gallons. If your costs increase then a per gallon increase would be a legitimate request.

Besides the meeting summary I am still missing a formal rate schedule requested by Email on October 26, 2015. Please refer to Philadelphia Water Department and Newtown Artesian Water websites for examples. I believe you receive water from both companies, neither does any billing based on EDUs. If as you stated using EDUs is a common practice then perhaps you could provide me with documentation from other utilities. Because I am already paying taxes on my zoning, I don't need to pay a monthly water tax to you. Zoning does not define use.

Please respond as soon as possible. I feel that after our call I was forgotten about. I would also like to present my issue to the board, how do I accomplish this?

I would prefer all future correspondence be done by Email.

Thank you,

Woody Hill

Billing argument for BCWSA board meeting. 2-22-2016

Woody Hill, 241 W. Maple Ave. Langhorne, PA 19047

I am here to try and resolve an ongoing billing complaint since October 2015. The complaint centers around the fact that I am being billed service charges for three lines where there is only one water and one sewer connection and one meter. I don't know when these charges were added exactly but they did not exist previous to 2011, and did not exist when Middletown Township provided the water and sewer service.

The BCWSA argument is that I am being billed extra EDU's, which I don't understand because your literature states that EDU's are a onetime charge paid for at the time of connection. My understanding is that EDU's are applied for to the PA DEP in getting preapprovals for construction that will need an increase in capacity to the existing sewer and water system. My connections were made in the 1950's and my one time fee was paid then, it is not a monthly expense to you and should not be one to me.

There is also confusion about using Bucks County Board of Assessment tax information to describe the building as commercial. I know of no other utility that uses tax information to set prices for their product. Specific use is usually what determines any designation. The fact that you have no levels of commercial use makes it very unfair to a small landlord, especially in a building that is 2/3 residential, with one office only.

I hope we can come to an agreement on this matter. I believe I should be charged one basic line charge and a volume charge based on gallons as measured by the meter. It would help your customers and your business if you would have a rate schedule; an instruction sheet detailing your bill; and instructions on reading the new meters published and available on your web page. This step toward an understandable and transparent billing system would help resolve most billing questions.

**BUCKS COUNTY WATER AND SEWER AUTHORITY**

**AMENDED AND RESTATED CONSOLIDATED  
2016 RATE AND FEE RESOLUTION**

**Resolution 2016-02**

WHEREAS, this Authority has adopted resolutions from time to time establishing rates and fees for the services it provides; and

NOW, THEREFORE, BE IT RESOLVED that 2015-05 be amended so as to add the rate studies associated with the establishment of water and sewer tapping fees.

**Part I – Rates & Fees**

Rates are expressed monthly but customers are billed monthly, quarterly or semi-annually or annually depending on area, water provider or contractual requirements

**A. New Hope, Doylestown Township, Doylestown Borough, Plumstead, Richland, Bensalem, Langhorne Manor, Lower Southampton and Middletown Service Areas**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	21.38	5.31	25.00	4.70
Commercial	23.71	7.11	53.56	4.46
Industrial	40.81	7.93	59.51	3.87
Public	26.14	10.20	23.21	5.12
Municipal	26.14	10.20	23.21	5.12
Flat	43.24	-		

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Fire Service by Size				
2" Pipe			4.50	
4" Pipe			27.88	
6" Pipe			80.97	
8" Pipe			172.55	
10" Pipe			310.32	
12" Pipe			501.25	
Twp. Hydrant			8.64	
Individual Hydrant			12.95	

**B. Langhorne Borough Service Area**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	21.19	4.03		
Commercial	23.30	6.15		

Year one of 3 year acquisition phase in

**C. Upper Dublin Service Area**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	20.34	4.23		
Commercial	21.87	5.43		
Industrial	33.15	5.97		

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Public	23.47	7.47		
Municipal	23.47	7.47		
Flat	40.32			

Year 2 of 3 year rate phase in

**D. Fort Washington Industrial Park (Upper Dublin Township)**

	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
<b>Residential</b>						
Single Fam	22.07	-	3.53			
5/8"Meter Size	21.03	.44	6.97			
3/4"Meter Size	26.15	1.01	6.97			
1" Meter Size	31.27	1.47	6.97			
1 1/2"Meter Size	45.71	2.77	6.97			
2"Meter Size	83.32	6.15	6.97			
3"Meter Size	147.44	11.91	6.97			
4"Meter Size	212.17	17.72	6.97			
6"Meter Size	392.61	33.92	6.97			
No Min	14.25					

Year 2 of 3 year rate phase in

<b>Commercial</b>	<b><u>Sewer</u></b>			<b><u>Water</u></b>		
	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>
Single Fam	23.62	-	4.74			
5/8"Meter Size	22.59	.44	8.18			
3/4"Meter Size	27.70	1.01	8.18			
1"Meter Size	32.82	1.47	8.18			
1 1/2"Meter Size	47.27	2.77	8.18			
2"Meter Size	84.87	6.15	8.18			
3"Meter Size	148.99	11.91	8.18			
4"Meter Size	213.72	17.72	8.18			
6"Meter Size	394.16	33.92	8.18			
No Min	15.80	-				

Year 2 of 3 year rate phase in

<b>Industrial</b>	<b><u>Sewer</u></b>			<b><u>Water</u></b>		
	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>
Single Fam	35.01	-	5.29			
5/8"Meter Size	33.98	.44	8.72			
3/4"Meter Size	39.10	1.01	8.72			
1"Meter Size	44.21	1.47	8.72			
1 1/2"Meter Size	58.66	2.77	8.72			
2"Meter Size	96.26	6.15	8.72			
3"Meter Size	160.38	11.91	8.72			

	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
4"Meter Size	225.11	17.72	8.72			
6"Meter Size	405.56	33.92	8.72			
No Min	27.19					

Year 2 of 3 year rate phase in

<b>Public</b>	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
Single Fam	25.23	-	6.80			
5/8"Meter Size	24.20	.44	10.24			
3/4"Meter Size	29.32	1.01	10.24			
1"Meter Size	34.43	1.47	10.24			
1 1/2"Meter Size	48.88	2.77	10.24			
2"Meter Size	86.49	6.15	10.24			
3"Meter Size	150.60	11.91	10.24			
4"Meter Size	215.33	17.72	10.24			
6"Meter Size	395.78	33.92	10.24			
No Min	17.41	-				

Year 2 of 3 year rate phase in



<b>Municipal</b>	<b><u>Sewer</u></b>			<b><u>Water</u></b>		
	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>
Single Fam	25.23	-	6.80			
5/8"Meter Size	24.20	.44	10.24			
3/4"Meter Size	29.32	1.01	10.24			
1"Meter Size	34.43	1.47	10.24			
1 1/2"Meter Size	48.88	2.77	10.24			
2"Meter Size	86.49	6.15	10.24			
3"Meter Size	150.60	11.91	10.24			
4"Meter Size	215.33	17.72	10.24			
6"Meter Size	395.78	33.92	10.24			
No Min	17.41					

Year 2 of 3 year rate phase in

<b>Flat Rate</b>	<b><u>Sewer</u></b>		<b><u>Water</u></b>	
	<b><u>\$ Min</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>\$ per 000</u></b>
Single Fam	36.63			
5/8"Meter Size	35.60			
3/4"Meter Size	40.72			
1"Meter Size	45.83			
1 1/2"Meter Size	60.28			
2"Meter Size	97.88			

	<u>Sewer</u>		<u>Water</u>	
	<u>\$Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
3"Meter Size	162.00			
4"Meter Size	226.73			
6"Meter Size	407.18			
No Min	28.81			

Year 2 of 3 year rate phase in

**E. Springfield Township**

	<u>Sewer</u>
All classifications (Based on 80% of water use)	\$6.36

**F. All Wholesale Service Areas**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
	25.90	4.35	540.92(1)	2.60(2)

(1) Per contract

(2) \$2.60 is the base rate for service. It is comprised of a raw water component and a BCWSA cost component. Additional financing charges may apply on a per customer basis and specific rate agreements and contractual obligations may supersede this rate. CPI adjustment in accordance with contract.

**G. Interest & Penalty**

All charges in All Service areas carry the following interest and penalty stipulation:

10% Penalty after thirty (30) days

10% Interest compounded annually on the outstanding balance including any penalty charges

**H. Discount for Electronic Download and Payment.**

All retail customers who electronically download their invoice and pay invoices electronically shall receive a Five (\$5.00) Dollar credit to their account on the one (1) year anniversary date of the customer's conversion to electronically downloading and payment of the water and/or sewer invoices. It shall be a condition of receiving the Five (\$5.00) Dollar discount that the electronic method of paying invoices remains in full force and effect for a period of one (1) year.

**Part II – Special Fees and Charges**

**A. Credit Card or Automated Clearing House Payments**

The Authority currently does not charge a fee for customers using a debit/credit card for Payment, but reserves the right to pass on any 3<sup>rd</sup> party fee in the future.

**B. Water Tapping Fees “(1)”**

- |   |                   |
|---|-------------------|
| 1. Wholesale Water Customer (capacity component)              | \$ 750 per Unit   |
| 2. Lower Southampton Twp, Middletown Twp (capacity component) | \$ 1,325 per Unit |
| 3. New Hope, Solebury (capacity component)                    | \$ 4,575 per Unit |
| 4. Retail Distribution Component (all retail areas)           | \$ 2,625 per Unit |

“(1)” Water Tapping Fees were established pursuant to rate studies prepared by Carroll Engineering Corporation dated June 14, 2005 and June 8, 2005, copies of which are attached hereto as Exhibit “A” and incorporated by reference.

**C. Water Meter Fee—Includes Installation**

<u>Meter Size</u>	<u>Meter Cost</u>
5/8 x 3/4 & 5/8 x 1/2	\$ 540.00
3/4”	\$ 590.00
1”	\$ 710.00
1 1/2”	\$ 920.00
2”	\$1,080.00

3"	\$1,500.00
6"	\$2,920.00

**D. Sewer Tapping Fees "(2)"**

1. Central & Upper Bucks County Sewer Service Area (treatment capacity component) except Upper Dublin Twp \$6,200 per EDU
2. Upper Dublin (treatment capacity component) \$2,100 per EDU
3. Central & Upper Bucks County Sewer Service Area & Upper Dublin (Treatment Collection Component [lines in street]) \$1,200 per EDU
4. Lower Bucks County Sewer Service Area Neshaminy Interceptor (Treatment capacity component) \$2,750 per EDU
5. Lower Bucks County Sewer Service Area Neshaminy Interceptor (Treatment Collection Component [lines in street]). If BCWSA must extend lines: \$1,000 per EDU

"(2)" Sewer tapping fees were established pursuant to rate studies prepared by Carroll Engineering dated June 14, 2005, and updated November 14, 2012 and April 2008. Copies of the rate studies are attached hereto as Exhibit B and incorporated by reference.

**E. The Debt Service Reimbursement Cost is payable quarterly until connection.**

\$50.00 per quarter per billable EDU

**F. Construction or inspection of construction of sewer or water lateral--actual time and material cost.**

**G. Television inspection of sewer lines—actual time and material cost.**

**H. Legal and engineering fees of outside consultants—actual cost, plus ten (10%) percent administrative charge.**

- I. Water service disconnection and/or shut off** \$ 60.00
- Water service reconnection** \$ 60.00

The procedure for water shutoff in the event of non-payment for sewer rentals or charges, including tapping fees under this Rate Resolution, is set forth in Section 7 of Resolution 2006-04 entitled Collection Sewer System.

**J. Lien filing fee** \$ 75.00

<b>Lien release charge</b>	\$ 0
<b>Lien renewal fee</b>	\$ 35.00

**K. Other than Wholesale Over Strength Sewage Charge**

The charge for an over strength sewage discharge, not in the wholesale system as set forth in Section (R) of this Part, shall be assessed in accordance with the treatment plant requirements where the over strength sewage is treated.

**L. Potable water delivery** \$180 delivery up to 5,500 gallons max.

**M. Certification Fee**

Full Certificate – Final Bill in Writing \$50.00

E-Certification – Outstanding Balance (electronic) \$35.00

**N. Copies of Documents**

\$0.10 per copy/per page,  
\$0.50 per page for Faxed copies

Disk, if required \$1.00 per disk

“True and correct” certification \$2.00 additional

Prepayment required if total fees exceeds \$100.00

**O. Deduct Water Meter**

Upon written request from the property owner, a field person will inspect the system currently in use to determine the viability of installing a deduct meter. If the system, based on a sketch from the inspection, is determined to be satisfactory, homeowner will submit payment in the amount of \$300 for the inspection as well as the current rate for the meter (See section C). If it is determined that the system is inadequate for such meter, we will advise the owner to obtain the services of a plumber who can make the changes needed to accommodate the meter. Upon completion of same, we will start the process anew with a field person visit to the site. This Resolution supersedes Resolution 1997-01.

Well Meter Where Property Does Not Receive Public Water.

Upon request from the property owner, an authority field person will inspect the water system on the property currently in use to determine the viability of installing a meter to measure the water flow from the nonpublic water source providing water to the property. If the system, based upon a sketch from the inspection, is found to be satisfactory, the homeowner will submit payment in the amount of \$300 for the inspection, as well as the current rate for the meter (see section C). If it is determined that the system is inadequate for such meter, the Authority will advise the owner

to obtain the services of a plumber who can make the change needed to accommodate the meter. Upon completion of same, an Authority field person will visit the site to ensure that the meter was properly installed and adequately measures the flow from the nonpublic source of water to the property. Upon certification by the Authority field person that the system and the meter have been properly installed, the property owner will then be billed for public water in accordance with the provisions of Part 1 of this Rate Resolution.

**P. Returned Item Fee** -- \$20.00 to include any item returned as uncollectible including checks, debit card transactions, credit card transactions, direct debits or e-payments.

**Q. Recreational Vehicles – disposal of sanitary waste** – Customer must provide identification and most recent invoice for home service (i.e. must be BCWSA customer).

**R. Wholesale Sewer Customer Surcharge**

In the event that sanitary sewage discharged into BCWSA's system exceeds a Biological Oxygen Demand ("B.O.D.") of 220 parts per million ("ppm") on average per quarter or a particular Suspended Solid Strength in excess of 220 ppm. B.O.D. on average per quarter, a surcharge per EDU shall be assessed. Said surcharge shall be calculated quarterly on the basis of not less than twenty-one (21) samplings per quarter, by multiplying the rate per EDU by a factor "F", which factor shall not be less than one (1), employing the following formula:

$$F = \frac{(S_i - S_a)}{S_a} + \frac{(B_i - B_a)}{B_a}$$

where: F = Factor applied to basic treatment rate;

S<sub>i</sub> = Solid concentration of waste water in ppm

S<sub>a</sub> = Average total solids, equal to 220 ppm from domestic sewage

B<sub>i</sub> = B.O.D. concentration of waste water in ppm and

B<sub>a</sub> = Average B.O.D., equal to 220 ppm from domestic sewage.

If a customer does not have a clean out: \$10 monthly charge/\$1,000 contribution fee. If homeowner gets a cleanout installed the rate will go back to \$5 a month and \$500 contribution fee. This only applies to customers of BCWSA as of this date forward.

**S. Maintenance Fee** – Maintenance fee in furtherance of the Authority's sewer, lateral and water connection Maintenance Program.

Homeowners Associations may qualify for a quantity discount of 10% depending on the total number of units enrolled.

RESIDENTIAL

COMMERCIAL

Sewer Lateral - \$5.00/Month

Sewer Lateral - \$10.00/Month

Water Service Line - \$5.00/Month

Water Service Line - \$10.00/Month

Grinder Pump - \$10.00/Month

Grinder Pump - \$20.00/Month

**T. Water Service Disconnection or Shut-Off at the Request of the Property Owner and/or Customer** – If at the request of a Property Owner and/or Customer, an employee of the Authority or a third-party designated by the Authority is requested to disconnect and/or otherwise shut-off water service to a property because of a malfunction, the need for maintenance and for any other reason, the Property owner and/or Customer shall be charged \$100.00 for the disconnect and/or shut-off and an additional \$100.00 if the Authority employee and/or authorized representative is required to return to the property to reconnect water service. If, however, the customer and/or Property owner has been enrolled in the Authority’s Maintenance Program for sewer and/or water service for at least thirty (30) days prior to the request for service, and the Customer and/or Property Owner is current with their obligations pursuant to the maintenance program, no charge will be imposed upon the Property owner and/or Customer for the disconnect or reconnect of the water service.

**U. Hydrant Direct Water Charge** - \$2.50 per thousand gallon draw

**V. Review Fee (Design review, inspection, and Administrative Costs)** – for 1-2 EDU’s connecting to System - \$1,000. Review fee for projects in excess of 2 EDU’s will be determined by the Consulting Engineer

**W. Legal Fee for Preliminary Agreements** - \$1,000 will be added to the Design Review, Inspection and Administrative Escrow required at time of acceptance of the Preliminary Agreement

Adopted this 8<sup>th</sup> day of January, 2018

(SEAL) Dennis Cowley  
DENNIS COWLEY

Richard Weaver  
RICHARD WEAVER

Stacey Muholland  
STACEY MUHOLLAND

Michael Gallagher  
MICHAEL GALLAGHER

Helen Bosley  
HELEN BOSLEY

Summary of billing complaint for Woody Hill, 241 West Maple Ave., Langhorne, PA  
9-24-15

Me: First called BCWSA inquiring about high bill, spoke with a secretary.

Response: Meters were broken and unread for several months.

Question: Why was my bill over \$100.00 per month with no water use?

Answer: These were basic charges water and sewer connection fees.

Question: Spoke with Stephanie about how to read the new meters.

Answer: Use an LED light to activate the digital display. Had no idea what the display readings meant, no answer was provided.

Question: Recalled and spoke with Joanie. I asked what the basic waterline charge was?

Answer: \$10.71 is base fee for water.

Question: How did I get to \$49.01 for water base and \$101.03 for water and sewer?

Answer: She said I was a commercial account based on zoning. I asked for a rate schedule, they had none. She suggested I Email Wendy Lauver.

10-26-15

I began email correspondence with Wendy Lauver for clarification.

10-30-15

Wendy sent a Bucks County Board of Assessment listing and the rate charges that were already shown on my bill. No real explanation or rate schedule.

11-5-15

I mailed back asking for better definition of a commercial rate, does the Sheraton Hotel have the same commercial rate?

11-6-15

Wendy stated that there are no levels of commercial rates and that the billing is based on EDU's. This was confusing because she said the bill was based on flow and EDU's allocated. I always thought the meter measured flow.



11-10-15

I responded by asking how EDU's are measured and how they relate to multiple unit buildings for billing.

11-10-15, Afternoon

Wendy sent me a response copied from a DEP application, with water volumes that didn't seem to make any sense as far as billing.

11-24-15

After time to think, I still couldn't comprehend how the previous emails helped explain the billing structure and asked Wendy to direct me on how to appeal the billing decision.

12-1-15

I still asked for more clarification of commercial vs. residential rates and asked for a rate schedule, she sent me some numbers that were useless without any context. She then suggested I contact Patrick Cleary, CIO.

12-2-15

I emailed Wendy Lauver with my appeal and she delivered it Mr. Cleary's office with the assurance he would get back to me after he reviewed it. Attached to this email was my request, (BCWSA1) in a file attachment.

12-16-15

Hand delivered a copy of all correspondence to Frank Farry's office with a request for help because I still had not received a reply from Mr. Cleary.

1-4-16

I emailed Frank Farry because I thought maybe he could get a response from Mr. Cleary.

1-4-16

Received email from Jayne B. Cornwall with Patrick Cleary's response dated December 18,2015 attached. Apparently the letter was mailed to the wrong address.

1-10-16

Replied to Pat Cleary's letter through Jayne Cornwall's email. An attachment was sent titled (P.Cleary.docx) describing my position in response to his letter.

1-13-16

Spoke with Frank Farry who said he would contact Patrick Cleary and ask him to call me. Jayne Cornwall called me on 1-18-15 and we set up a phone conference for 1-20-15

1-20-16

I spoke with Patrick Cleary and John Butler. I believe Wendy Lauver and Jayne Cornwall were also present. I spoke with John Butler to help me understand how EDU's related to billing. I still did not understand and asked that he send his explanation to me and also the offer they mentioned about reducing EDU's. To help define what EDU's are he suggested I go to the PA DEP website. I did look at the site and was firmer in my belief that that they were a onetime fee and not a monthly cost. I never received John's written summary.

2-1-16

I emailed Mr. Cleary. I had not received Mr. Butler's response so I attached document (20BCWSA.docx) describing my response to the phone conference. I also continued my request for a rate schedule,

2-3-16

Received an email from Jeanne McCreary, attached was a web page from your help center. I emailed back my response immediately because it only reinforced my argument about EDU's being a onetime only fee. A request was made about meeting with the board. No response was ever received.

**Subject:** RE: Case No. 2016-04-0031 Mr. Woody Hill

Mr. Hann,

Per the voicemail I just left I'm asking that my questions be answered directly, as outlined in my original e-mail. In your e-mail dated April 26, 2016, you've provided nothing more than a link to the BCWSA website which contains general basic information, which I'm already aware of considering the consumer submitted this information with his complaint that our office had also forwarded to BCWSA for response. The same type of basic information was provided in the response letter dated April 19<sup>th</sup>, 2016. As an example view the Warminster Township Municipal Authority website <http://www.warminsterauthority.com/>, which is another Water & Sewer Authority in Bucks County that openly displays their rates. For example \$2.89/1,000 gallons of water usage with a quarterly service charge of \$30 and \$5.19 per 1,000 gallons of sewer usage with a quarterly service charge of \$30. They don't assess a base charge based on EDU's, which as Mr. Hill has outlined is meant to be used at the inception of a connection not as a basis for all future billing. It's understandable that certain commercial and residential customers may see a discount over a certain number of thousands of gallons of usage but the policies are enforced across the board. I am asking for the formal documentation enacted by Bucks County Water & Sewer Authority containing the billing policies and procedures for how base rates are determined for various types of properties, such as hotels, commercial, mixed use residential/commercial and also a rate schedule including dollar amounts and formulas used. There has been no formal documentation provided to Mr. Hill just casual e-mails referencing some basic numbers and formulas. We would like to see the official documentation of these policies and procedures justifying these rates. This should all be simple documentation to provide that's used uniformly and fairly across the board. However, the website outlines that this is likely not the case since in the link you provided it states, "BCWSA rates vary according to your specific usage and situation. For a detailed explanation call us and we'll be happy to help you." It seems that BCWSA has a unique way of doing business compared to many of the other municipal authorities in Bucks County. I'm not sure why I'm having difficulty obtaining this documentation to further assess this case but I would appreciate the questions asked in my previous e-mail to be addressed directly and documentation I've requested to be sent as soon as practicable. I will await your reply.

**Tom Rorvik**  
**Consumer Investigator**  
**Bucks County Consumer Protection / Weights & Measures**  
**1260 Almshouse Rd. 4<sup>th</sup> Floor**  
**Doylestown, PA 18901**  
**215-348-6060**  
**1-800-942-2669**  
**Fax: 267-885-1420**  
[www.buckscounty.org/consumerprotection](http://www.buckscounty.org/consumerprotection)

**From:** Ruth Muir [<mailto:rmuir@hrmml.com>] **On Behalf Of** Steve Hann  
**Sent:** Tuesday, May 03, 2016 1:28 PM  
**To:** Rorvik, Thomas E. <[terorvik@buckscounty.org](mailto:terorvik@buckscounty.org)>  
**Cc:** Steve Hann <[shann@hrmml.com](mailto:shann@hrmml.com)>  
**Subject:** FW: Case No. 2016-04-0031 Mr. Woody Hill

## Comments Testimony

I believe the Municipal Authorities Act needs to be amended to provide an independent agency to monitor rates and fees and help resolve billing issues. The current legislation gives all the power to the Authorities, and no representation to the consumer. The only limit to the Authorities' power is that the rates must be reasonable and uniform, which the authority gets to decide. I believe a statewide rate structure, like the PUC has, would assure that informed comparisons can be made to guarantee to the consumer that the rates are "reasonable and uniform" with adjacent providers. It would also avoid undefined minimum charges and make billing much more transparent. If the Authority gets to make its own individual rate structure it eliminates the uniform comparison, which violates the intent of Title 53, Section 5607.

My billing complaint provides you with some insight into how the consumer is powerless to get a reasonable resolution, in my case from Bucks County Water and Sewer Authority, but it could be any number of others.

The most troubling aspect of my complaint is that I was denied a published rate sheet for over eight months, even with assistance from my local representative Frank Farry and also presenting my case before the BCWSA board meeting.

My last effort was to go to Bucks County Consumer Protection and ask for their help. I believe I would have never received a copy of the rate sheet without Bucks County Consumer Protection's assistance. BCWSA's document is called "Amended and restated Consolidated 2016 Rate and Fee Resolution." I ordered copies of this back to 2013 so I assume this is filed with the state annually. BCWSA's explanations over the eight months did not seem to agree with this document submitted to the state. I sent a letter to their lawyer, Steven Hann, questioning the uniformity of the rates. I never received a reply.

I think in changing this law provisions should be made to provide legal consequences to the Authorities for failure to provide information in a timely manner and without documenting their facts. No documentation was ever provided by BCWSA showing that other Authorities bill in this manner.

For this change of law to help consumers it must emphasize billing through metered use in gallons, and have minimum fees providing only a small percentage of customer costs, not the majority. This gives the consumer the ability to control costs by modifying consumption and has the universal benefit of conserving water.

As you can see, I feel very strongly about this matter, enough to drive over four hours to give this brief testimony.

**From:** WHILL <wdman2000@aol.com>  
**To:** BenjaminJones <BenjaminJones@bcwsa.net>  
**Subject:** Re: Board meeting  
**Date:** Thu, Mar 17, 2016 8:50 am

Mr. Jones,

I have been reading the PA laws you recommended and find EDU's only referenced in regard to tapping fees and connection fees. I even watched a PowerPoint from Pennsylvania Municipal Authorities Association. If you have a specific page and line reference maybe I'm missing something. In reading HB 51 there was some specific information on page 22 lines 6,7,8,17,18,19,20 and 27,28,29,30 that is worth reading. On page 23 there was information regarding buying and selling capacity, basically stating that the price should be the same on the buy or the sell. Thanks for sending me a real number but the offer does not make sense to me.

I have also checked many utilities in Pennsylvania with published rate schedules and find none that base their minimum fees on EDU's, all are based on line size and metered consumption. Note: see "Service line" HB 51 page 22, lines 6,7,8. The sewer charge is occasionally based on a flat fee basis, and in a multi-unit building can vary with occupancy. At the core of my complaint is your lack of a published and numbered rate schedule. I have asked you for this for over six-months and expressed this to the board at the Feb. meeting. Philadelphia, Newtown, Northampton, Horsham, and Warwick are local examples of published rate schedules. Across the state Southwestern W+S Authority is another example, if you have examples showing otherwise please provide them. Without a specific rate sheet it is impossible to make an exact comparison, but I think I am overpaying by a considerable amount.

You also have no specific definitions for residential and commercial categories. If you were filling out a 537 planning sheet, Commercial is defined as retail centers and office parks. This building contains two one-bedroom apartments and one professional office, residential would be the best description according to the 537 application.

I also suggested at the meeting that you have an obligation to provide a detailed breakdown of your monthly bills and instructions on how to read the new meters and relate the numbers to the bill. The fact that you have none of this information published and available to your customers makes me very suspicious as to the legitimacy of your billing practices. The bottom line is that you seem to believe these are legitimate billing practices and I don't. I had hoped we could settle this matter but maybe I need another path to resolve this.

Sincerely, Woody Hill

-----Original Message-----

From: Benjamin Jones <BenjaminJones@bcwsa.net>  
To: 'WHILL' <wdman2000@aol.com>  
Cc: Anne O'Toole <anneotoole@bcwsa.net>  
Sent: Tue, Mar 8, 2016 11:39 am  
Subject: RE: Board meeting

Mr. Hill:

I do not recall a specific request where you requested the valuation of the sale and repurchase of an EDU however I will address same in this email.

The purchase price of an EDU at the time of BCWSA's acquisition was \$300 and the current cost of an EDU in your area is \$4750. Therefore, BCWSA would repurchase any unused EDUs at the purchase price of \$300 and adjust your minimum bill based upon such.

Addressing your remaining questions, the PA law regulating what an Authority can charge for an EDU and what constitutes same is PA local government code(53 PA CS)

Act December 30, 2003 P.L. 403, no. 57: Session of 2003; 2003-57  
HB 51

The EDU minimum cost is the fixed operational costs associated with providing peak capacity for your property. The one time EDU charge was the recuperation of the monies put out by the Authority at the time you purchased same. They were for the building of certain lines, plant capacity etc. The EDU minimum charge in your bill is for the fixed operating costs associated with maintaining that capacity (additional electricity in the design of the plant to run such,

**From:** Furlan, Ronald <rfurlan@pa.gov>

**To:** wdman2000 <wdman2000@aol.com>

**Cc:** Dudley, Keith <kdudley@pa.gov>

**Subject:** FW: Input Received: Department of Environmental Protection Contact Form

**Date:** Wed, Mar 9, 2016 11:40 am

**Attachments:** btCheck.pdf (153K), 025\_0071.pdf (229K), btCheck.pdf (73K)

Thank you for your e-mail. Pa Sewage Facilities Act (aka Act 537) (attached) does not define equivalent dwelling unit (EDU). The promulgated regulations; 25 Pa Code Chapter 71, (attached) to implement Act 537 statutes does define EDU as: “*Equivalent dwelling unit*—For the purpose of determining the number of lots in a subdivision only as it relates to the determination of planning exemptions and fees for planning module reviews under this chapter, that part of a multiple family dwelling or commercial or industrial establishment with flows equal to 400 gpd. These flow figures are not intended to be used for the calculation of flows for the design of community sewerage systems or for the allocation of flows related to community sewerage systems. Community sewerage system flows for design and permitting purposes shall be calculated using the procedures established in the Department’s *Domestic Wastewater Facilities Manual* (DEP-1357).” So the 400 gallons per day is basically a planning number to be used to determine the number of lots when planning a development using onsite sewage systems. The correct EDU to be used for the design of a publicly owned sewage system can and may be different. Typically we have seen, 75 gallons (without inflow/infiltration) or 100 gallons (with inflow/infiltration) per capita per day and 3.5 persons (capita) in a home, used to define a flow for design of a public sewer system. We have also seen lower EDU flows proposed for public sewer system design because the design engineers require the use of low flow devices which may reduce the flow and in some cases other justification is provided for using lower design flows. If you are trying to figure out tapping fees for sewer capacity, then you will need to read Act 57 (attached) the Pa legislature in 2003 set an EDU of 90 gallons per capita per day for sewer capacity when calculating tapping fees, not for design.

**Ronald C. Furlan PE/Division Manager**  
Planning and Permits Division  
Bureau of Clean Water  
Department of Environmental Protection  
Water Management 11<sup>th</sup> Floor  
Rachel Carson State Office Building  
P.O. Box 8774  
Harrisburg, PA 17105-8774  
e-mail: rfurlan@pa.gov phone: 717-783-2283 Fax: 717-772-5156

**From:** noreply@egov.com [mailto:noreply@egov.com]

**Sent:** Friday, March 4, 2016 2:47 PM

**To:** EP, Contact Us <RA-epcontactus@pa.gov>

**Subject:** Input Received: Department of Environmental Protection Contact Form

## Department of Environmental Protection

AOL: Mail, News, ...  
AOL Inc.  
★★★★☆  
FREE - On the App Store

## Consumer complaint #2016-04-0031

WHILL to RMuir + 3 more

1 day ago [Snow Denial](#)

August 12, 2016

To: Steven Hann c/o Ruth Muir secretary  
Hamburg, Rubin, Maxwell and Lupin, PC  
375 Morris Road, PO Box 1479  
Lansdale, PA 19446-0773

[RMuir@HRMML.com](mailto:RMuir@HRMML.com)

From: Woody Hill  
939 West Maple Ave.  
Langhorne, PA 19047  
215.752.3103

[wdman2000@aol.com](mailto:wdman2000@aol.com)

Dear Ruth,

This letter is regarding a consumer complaint with Bucks County Water and Sewer Authority, case #2016-04-0031. I received a letter dated July 18, 2016 from the Bucks County Office of Consumer Protection saying that they could no longer take further action on this complaint. I still have some unanswered questions regarding this matter and would appreciate your response. At the heart of the issue is the question does BCWSA have a duty or a legal obligation to provide a complete rate and price schedule to their customers as a utility provider? In my research all other providers have a published schedule. I received a copy of Resolution 2016-02 from Consumer Protection but it seems very incomplete and has a lot of contradictions, shouldn't there be a uniform price schedule? Perhaps you have a more complete version available for this entity? I look forward to your response.

Sincerely,

Woody Hill

DATE 2-6-17

BCWSA

1275 Almshouse Road

Warrington, PA 18976

Attention: Patrick W. Cleary

Dear Mr. Cleary:

Thank you for your prompt return of the records requested. I am assuming that you are still CIO as well as the Open Records Officer. I wish this material had been sent to me a year and half ago when I first started requesting it, because it does represent your rate schedule. I understand your reluctance to provide it because it does not follow the language of Title 53 of the Pennsylvania Consolidated Statutes, Section 5607(d)(9). As a consumer the only protection we have from you, as a monopoly, is that your pricing must be reasonable and uniform. Your schedule is so far from uniform it is hard to evaluate it for reasonable. In our previous correspondence, I was informed that you bill in EDU's. I found no evidence of this in your Rate and Fee Resolutions going from 2013 to 2016. The only mention of EDU's is in regards to connection fees (see page 8), and stops once connections are complete. In your Rate and Fee Resolutions you have a monthly charge based on water line size (see page 3) and metered volume in gallons (see page 1). The sewer is based on a monthly minimum per line, and a cost per gallon. In my bills before 2016 I was being charged double the water gallons coming in for my sewer. I can assure you I am not adding any additional water to my sewage connection.

Before I pursue this matter any further I would like to speak with you directly and perhaps resolve these issues. I will enclose a copy of my argument given to each board member on February 22, 2016, and a copy of my letter to you on January 10, 2016 in case the old copy is missing.

Sincerely,

Way Woody Hill

MAILED COPY 2-4-17

EMAILED C.JAYNECORNWALL@bcwsa.  
PA

ON 2-6-17 MONDAY





December 18, 2015

Woody Hill  
241 W. Maple Avenue  
Langhorne, Pa 19047-2180

Re: Inquiry – Billing

Dear Mr. Hill,

Thank you for your inquiry and I will attempt to explain our billing procedures.

Your bill consists of the fixed cost as well as a usage component. The base charge for water and sewer service is the fixed cost that you are charged to be part of the system. This structure is very similar to how most utilities bill their customers.

Our rates are classified into different categories which are obtained from Bucks County tax records. For instance some of the categories are Residential, Commercial, Industrial, etc. In order for BCWSA to change your category, you would have to have same changed with Bucks County.

When we acquired your account from the Middletown system it had three EDU's/connection fees associated with it. That means three connection fees were paid for because of a usage estimate of three EDU/connections. You are billed on three base rates plus usage.

If you are not using all the EDU's you can request BCWSA to buy back an EDU. BCWSA will buy back at the price you paid for it and that would eliminate one of the EDU fixed costs that you are billed. You would then be billed for two fixed rates plus usage. We will monitor the flows and if you exceed the amount of EDU's you have on your property you would then have to purchase another EDU at the current market price

Please do not hesitate to contact me at (215) 343-2538 ext. 119 if you should have any questions.

Sincerely,

Patrick W. Cleary, CIO

PWC/jbc

NOTE: NO DOCUMENTATION

BCWSA  
1275 Almshouse Rd. Warrington, PA 18976  
Phone: 215.343.2538  
Fax: 267.200.0324

[www.bcwsa.net](http://www.bcwsa.net)



# Municipal Authorities

## Generally

There is often confusion resulting from the erroneous impression that a municipal authority is merely the child or instrumentality of the municipality incorporating it. Municipalities create authorities pursuant to various statutes, perhaps the most common of which is the Municipality Authorities Act.<sup>1</sup> In accordance with the Municipality Authorities Act, one or more municipalities may act to form a municipal authority. Also, municipal authority board members are to be appointed by municipal governing bodies. Nevertheless, for reasons of public policy and convenience, a municipal authority is NOT the creature, agent, or representative of the municipality or municipalities organizing it; but rather, it is a separate and distinct entity. A municipal authority is an independent agency of the Commonwealth, a part of the Commonwealth's sovereignty. Defined as "[a] body politic and corporate," a municipal authority may be said to be an independent corporate agent of the Commonwealth, exercising governmental, as well as private corporate power, in assisting the Commonwealth in meeting the needs of its citizens.

Many authorities exercise certain powers and perform certain functions both within and outside the municipal limits of the incorporating municipality, within constitutional and statutory limitations. The Municipality Authorities Act dictates a broad grant of power so that municipal authorities may accomplish the purposes intended under the act in an efficient and economical manner and for the benefit and health of all the people of this Commonwealth.

Like municipalities, the power of municipal authorities to act depends upon statutory delegation. By statute, municipal authorities are permitted to undertake a wide range of different projects. It is true that the municipality or municipalities that organize the authority, by either an initial or subsequent ordinance or resolution, may limit or specify the project or projects to be undertaken by the authority.<sup>2</sup> If this is done, then no other projects are to be undertaken by the authority, except those specified; but if this power to limit or specify authority projects is not used, then the authority is deemed to have all the powers permitted it under law.



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<sup>1</sup> 53 Pa.C.S. § 5601 et seq.

<sup>2</sup> Under specific circumstances, authorities may be forced to dissolve and/or have their projects overtaken by the municipalities that created them. See *Township of Forks v. Forks Tp. Mun. Sewer Authority*, 759 A.2d 47 (Pa. Cmwlth. 2000).

## Disputing the “Rates” for Services Charged by a Municipal Authority

A common constituent question involves the method by which a customer within a municipal authority’s service area who feels aggrieved by the rates imposed by the authority for its services can seek redress. The municipal authority may insist that its rates are justified.

What recourse does the customer have? What agency or forum would resolve the dispute? What difficulties should the customer expect to encounter in substantiating the challenge to the authority’s rates? What basic principles will be applied in resolving the dispute? Under what circumstances will the disgruntled customer be entitled to relief?

The language of Title 53 of the Pennsylvania Consolidated Statutes, Section 5607(d)(9), speaks of fixing reasonable and uniform rates “in the area served by [a municipality authority’s] facilities.” Under this section, the municipal authority is granted the exclusive authority to set rates for its services. The recipient of these services does not negotiate the amount that he or she is to be charged. These ratepayers, therefore, are intended to be protected by the provision requiring the rates to be reasonable and uniform. These rates are subject only to judicial review, not to the review of the incorporating municipality.

In construing a municipal authority’s ratemaking powers, Pennsylvania courts have repeatedly emphasized and relied upon two controlling legal principles: (1) that a municipal authority has been granted the exclusive power to fix the rates to be charged its customers (ratepayers), and (2) that an authority may exercise, but not abuse, its discretion in fixing rates, which are reasonable and uniform in the area serviced by its facilities.<sup>4</sup> Similarly, in disputes between a ratepayer and a municipal authority concerning an authority’s possible abuse of discretion in fixing rates, the Legislature has designated the court of common pleas as having exclusive jurisdiction to resolve all such questions.<sup>5</sup> Moreover, in exercising its jurisdiction to resolve questions concerning rates set by a municipal authority, a common pleas court may not appropriate the rate-fixing power of the municipal authority by substituting its discretion for that of the authority. The court’s function is to determine whether the ratepayer has met the burden of proof regarding the municipal authority’s alleged abuse of discretion in establishing a rate system that violates the statutory standards of reasonableness or uniformity.



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<sup>4</sup> See, e.g., *Smith v. Athens Tp. Authority*, 685 A.2d 651 (Pa. Cmwlth. 1996), *appeal denied*, 548 Pa. 622 (1997); *West v. Hampton Tp. Sanitary Authority*, 661 A.2d 459 (Pa. Cmwlth. 1995).

<sup>5</sup> See 53 Pa.C.S. § 5607(d)(9).

BCW&SA

Service Address  
241 MAPLE AVE W

Billing Date  
12/16/10

Account Nur  
204021300

Bucks County Water & Sewer Authority  
P.O. Box 8457 Philadelphia, PA 19101-8457  
1.800.222.2068 215.343.2538

Contact us online at  
email@bcwsa.net

Visit us on the web  
www.bcwsa.net

**Meter Reading Data**

Service Period From: 10/31/10 To: 11/30/10

Meter	Cur. Read	Read Type	Prev.Read	Read Type	Usage
1	628	Actual	624	Actual	4,000
Total Usage					4,000

**Billing Detail**

**Current Charges**

Sewer Service.....\$26.79  
 Water Service.....\$16.90

**Total Current Charges.....\$43.69**

**Amount Due By 01/07/11.....\$43.69**

Amount Due AFTER 01/07/11.....\$48.06

END  
2016

Pd  
12-28-10  
#5007

**Message Center**

As of 1/1/11 Water & Sewer rates will increase as directed by the acquisition contract which includes contractual increases and pass through charges from 3rd parties. Please see our website for more information.

BCWSA

P.O. Box  
1.800.  
www.

END

2015

Message

### PROTECTION PLAN ALERT!

BCWSA offers a Water and Sewer Maintenance Program. Get covered for as little as \$5 per month! Call Ext. 140 for more information.

### New Payment Options!

Sign up for our new eBill program. Another great way to make your payment and it is absolutely free.

Save time, pay on-line. Log in securely at bcwsa.net and use Visa, MasterCard or e-Check.

Customer Name  
HILL, WOODY

Service Address  
241 W MAPLE AVE

Billing Date  
12/18/2015

Late Payment Applied After  
01/08/2016

### Account Summary

Prior Balance	Payments	Current Charges	Adjustments	Total Amount Due
\$ 135.23	\$ -135.23	\$ 137.28	\$ 0.00	\$ 137.28

### Billing Detail

Previous Balance \$135.23  
 Payment 12/04/2015 \$135.23C R

### Past Due Balance

\$0.00

Current Charges: Service Period 11/09/2015 through 12/11/2015

PWS

Water Service Charge \$49.01 - 9.97 = 39.04  
 5,300 gallons @ 0.00408 per gallon \$21.62

Water Lateral Maintenance \$10.00  
 Sewer Service Charge \$42.02 - 11.05 = 30.97  
 5,300 gallons @ 0.00276 per gallon \$14.63

**Total Current Charges \$137.28**

**Total Amount Due \$137.28**

To avoid penalty, please pay Total Amount Due by 01/08/2016

### Meter Reading Data

Meter #: 53409013

Readings	Read Type	Read Date
Current Read: 00182	MR	12/11/2015
Previous Read: 00129	MR	11/09/2015

Total Usage: 5

\*Usage in thousands of gallons

PD  
 12/29/15  
 #2195

Comments: Woody Hill, Sept. 25, 2017 for HB 798

I am here to hopefully help resolve what is a serious legal and legislative problem. The problem is one of customer accountability and billing processes by municipal authorities. I will use my personal experience to help illustrate the necessity of having an independent monitoring of billing and service disputes by a third party and to have uniform and transparent billing practices by all of the water and sewer providers.

My complaint is with Bucks County Water and Sewer Authority who provides service to my building in Langhorne, PA. I have included some correspondence to help illustrate this problem of being powerless as a customer in dealing with my complaint of being overbilled for minimum charges. Exceeding the actual cost of the product itself. Water is a necessary commodity and granting the authorities an unregulated monopoly creates an unfair situation for the customer to try and resolve complaints and adjust their use to higher costs. I have included some letters documenting my complaint over a year period.

The first is a summary of my e-mail correspondence with the billing and customer service department(attached). It began on September 24, 2015, and ended on December 2, 2015. When I appealed my bill to Patrick Cleary, CIO, to help resolve and clarify his rates. Note, that I had been asking for a rate schedule since October and was told that none existed.

I was becoming very frustrated with Mr Cleary's lack of a response and took my complaint to Frank Farry, my local State Representative. I eventually got a response from Mr. Cleary on January 4, 2016 after e-mailing Frank Farry to help get a response. The response from Mr. Cleary was very unclear, it contained no verifiable numbers or any definitions. I called Mr. Cleary and he scheduled a phone meeting with him and a Mr. Butler to help resolve the complaint. Nothing was settled and I requested a summary of the meeting. After waiting until January 29, I sent another letter to Mr. Cleary, again with no response. (attached).

I decided to go before their Board on their next meeting on February 22, 2016 (attached). I was referred to Ben Jones to try and resolve my issues. Once again nothing but a confusing response was received with him requesting I read House Bill 51. At this point I was getting totally frustrated and went to Bucks County Consumer Protection for assistance. This was April 22, 2016, seven months after I first asked for a rate schedule. At first BCWSA used the same delay and deceive strategy, but the investigator was able to pursue it (attached) and I received a rate schedule called "Amended and Reinstated Consolidated Rate Schedule." This was sent to Consumer Protection, not to me. I read it and sent an e-mail to Steve Hann's office. This was the rate schedule in disguise and I asked him about the uniformity of the rates. I got no response.

In conclusion, you can see what difficulties the consumer has in disputing any bill irregularities. I believe all water and sewer charges should be billed on a per gallon rate, those phantom line charges fall on the poorest consumer the most. They have no control over their bills and reducing consumption does little to lower their costs. As stated before an independent regulator is necessary to protect and enforce uniformity in rates across the state.

Summary of billing complaint for Woody Hill, 241 West Maple Ave., Langhorne, PA

9-24-15

Me: First called BCWSA inquiring about high bill, spoke with a secretary.

Response: Meters were broken and unread for several months.

Question: Why was my bill over \$100.00 per month with no water use?

Answer: These were basic charges water and sewer connection fees.

Question: Spoke with Stephanie about how to read the new meters.

Answer: Use an LED light to activate the digital display. Had no idea what the display readings meant, no answer was provided.

Question: Recalled and spoke with Joanie. I asked what the basic waterline charge was?

Answer: \$10.71 is base fee for water.

Question: How did I get to \$49.01 for water base and \$101.03 for water and sewer?

Answer: She said I was a commercial account based on zoning. I asked for a rate schedule, they had none. She suggested I Email Wendy Lauver.

10-26-15

I began email correspondence with Wendy Lauver for clarification.

10-30-15

Wendy sent a Bucks County Board of Assessment listing and the rate charges that were already shown on my bill. No real explanation or rate schedule.

11-5-15

I mailed back asking for better definition of a commercial rate, does the Sheraton Hotel have the same commercial rate?

11-6-15

Wendy stated that there are no levels of commercial rates and that the billing is based on EDU's. This was confusing because she said the bill was based on flow and EDU's allocated. I always thought the meter measured flow.

1-13-16

Spoke with Frank Farry who said he would contact Patrick Cleary and ask him to call me. Jayne Cornwall called me on 1-18-15 and we set up a phone conference for 1-20-15

1-20-16

I spoke with Patrick Cleary and John Butler. I believe Wendy Lauver and Jayne Cornwall were also present. I spoke with John Butler to help me understand how EDU's related to billing. I still did not understand and asked that he send his explanation to me and also the offer they mentioned about reducing EDU's. To help define what EDU's are he suggested I go to the PA DEP website. I did look at the site and was firmer in my belief that that they were a onetime fee and not a monthly cost. I never received John's written summary.

2-1-16

I emailed Mr. Cleary. I had not received Mr. Butler's response so I attached document (20BCWSA.docx) describing my response to the phone conference. I also continued my request for a rate schedule,

2-3-16

Received an email from Jeanne McCreary, attached was a web page from your help center. I emailed back my response immediately because it only reinforced my argument about EDU's being a onetime only fee. A request was made about meeting with the board. No response was ever received.



To: Patrick W. Cleary, BCWSA

From: Woody Hill

Jan. 10, 2016

Dear Mr. Cleary,

I received your billing explanation but it continues to puzzle me. It does not have any finite criteria for your "connection fees". I would like to address some of your statements from my perspective. The connection fee "is the fixed cost to be part of the system" and "is very similar to how most utilities bill their customers". Most utilities do have a connection charge or line charge, but one connection equals one charge. I have only one connection. PECO bills per meter connection, Phila. Water Dept. bills per meter connection, I believe this is how any utility I know of is billed. This is my main complaint. Another complaint is that because you are a public utility, and have a monopoly on the water service I do not understand why there is no independent agency monitoring your billing practices. PECO has the PUC and Philadelphia Water Dept. is monitored by the Community Legal Services of Philadelphia. Are you connected to some other agency? This lack of independent oversight is also concerning.

In your explanation letter you also state that my rate is based on Bucks County tax records and zoning. I know of no other utility that does this and I don't see how it relates to your business of selling water. You also state that when you acquired my account from Middletown Township it had three connection fees associated with it. This is untrue, Middletown always billed it as one line and only billed by volume through one meter because it has always been one line. You only have to check your own billing records as recently as December of 2011 to verify that the water was billed based on consumption through one meter. Note that PECO considers a building with 2 to 5 units going through one meter a residence and bills accordingly.

I requested on December 2, 2015 that a rate sheet be sent to me. I still have not received it. I am including a link to Philadelphia Water Departments "What's in my bill?" web page, <http://www.phila.gov/water/PDF/RatesInfo.pdf>. This is what I expect from you. It seems to me that it would be much cheaper to buy my water from them, contrary to your recent statement in the Courier Times. It is difficult for me to monitor my own water use because you have been so inconsistent in reading my meter. The read dates vary from the 2<sup>nd</sup> of the month to the 12<sup>th</sup>, it makes it hard to verify the numbers. Also I would like you to send me instructions on reading the new meters so there is no misunderstanding.

Thank you,

Woody Hill

January 29, 2016

To: Patrick Cleary, BCWSA

From: Woody Hill

Dear Mr. Cleary,

I am waiting for Mr. Butler's written summary as we discussed in our Jan. 20<sup>th</sup> phone meeting. I am still totally baffled by the "semantics" involved in our conversation about being billed for EDUs. I did look on the PA DEP website as he suggested, but I don't see how they relate to my monthly bill. What I read on the website relates to getting permits for new construction and evaluating capacity for additions to the existing system. These do not relate to current billing and do not represent any recurring monthly costs to you. The way I understand your business is that your costs are the line and equipment maintenance, of which I represent one 1" line and one 4" sewer lateral. Your other costs are to purchase water measured in gallons and resell it through your system; also to pay someone to process the sewage measured by the gallon. Water in, sewage out, all measured by a meter in gallons. If your costs increase then a per gallon increase would be a legitimate request.

Besides the meeting summary I am still missing a formal rate schedule requested by Email on October 26, 2015. Please refer to Philadelphia Water Department and Newtown Artesian Water websites for examples. I believe you receive water from both companies, neither does any billing based on EDUs. If as you stated using EDUs is a common practice then perhaps you could provide me with documentation from other utilities. Because I am already paying taxes on my zoning, I don't need to pay a monthly water tax to you. Zoning does not define use.

Please respond as soon as possible. I feel that after our call I was forgotten about. I would also like to present my issue to the board, how do I accomplish this?

I would prefer all future correspondence be done by Email.

Thank you,

Woody Hill

Billing argument for BCWSA board meeting. 2-22-2016

Woody Hill, 241 W. Maple Ave. Langhorne, PA 19047

I am here to try and resolve an ongoing billing complaint since October 2015. The complaint centers around the fact that I am being billed service charges for three lines where there is only one water and one sewer connection and one meter. I don't know when these charges were added exactly but they did not exist previous to 2011, and did not exist when Middletown Township provided the water and sewer service.

The BCWSA argument is that I am being billed extra EDU's, which I don't understand because your literature states that EDU's are a onetime charge paid for at the time of connection. My understanding is that EDU's are applied for to the PA DEP in getting preapprovals for construction that will need an increase in capacity to the existing sewer and water system. My connections were made in the 1950's and my one time fee was paid then, it is not a monthly expense to you and should not be one to me.

There is also confusion about using Bucks County Board of Assessment tax information to describe the building as commercial. I know of no other utility that uses tax information to set prices for their product. Specific use is usually what determines any designation. The fact that you have no levels of commercial use makes it very unfair to a small landlord, especially in a building that is 2/3 residential, with one office only.

I hope we can come to an agreement on this matter. I believe I should be charged one basic line charge and a volume charge based on gallons as measured by the meter. It would help your customers and your business if you would have a rate schedule; an instruction sheet detailing your bill; and instructions on reading the new meters published and available on your web page. This step toward an understandable and transparent billing system would help resolve most billing questions.

**Subject:** RE: Case No. 2016-04-0031 Mr. Woody Hill

Mr. Hann,

Per the voicemail I just left I'm asking that my questions be answered directly, as outlined in my original e-mail. In your e-mail dated April 26, 2016, you've provided nothing more than a link to the BCWSA website which contains general basic information, which I'm already aware of considering the consumer submitted this information with his complaint that our office had also forwarded to BCWSA for response. The same type of basic information was provided in the response letter dated April 19<sup>th</sup>, 2016. As an example view the Warminster Township Municipal Authority website <http://www.warminsterauthority.com/>, which is another Water & Sewer Authority in Bucks County that openly displays their rates. For example \$2.89/1,000 gallons of water usage with a quarterly service charge of \$30 and \$5.19 per 1,000 gallons of sewer usage with a quarterly service charge of \$30. They don't assess a base charge based on EDU's, which as Mr. Hill has outlined is meant to be used at the inception of a connection not as a basis for all future billing. It's understandable that certain commercial and residential customers may see a discount over a certain number of thousands of gallons of usage but the policies are enforced across the board. I am asking for the formal documentation enacted by Bucks County Water & Sewer Authority containing the billing policies and procedures for how base rates are determined for various types of properties, such as hotels, commercial, mixed use residential/commercial and also a rate schedule including dollar amounts and formulas used. There has been no formal documentation provided to Mr. Hill just casual e-mails referencing some basic numbers and formulas. We would like to see the official documentation of these policies and procedures justifying these rates. This should all be simple documentation to provide that's used uniformly and fairly across the board. However, the website outlines that this is likely not the case since in the link you provided it states, "BCWSA rates vary according to your specific usage and situation. For a detailed explanation call us and we'll be happy to help you." It seems that BCWSA has a unique way of doing business compared to many of the other municipal authorities in Bucks County. I'm not sure why I'm having difficulty obtaining this documentation to further assess this case but I would appreciate the questions asked in my previous e-mail to be addressed directly and documentation I've requested to be sent as soon as practicable. I will await your reply.

**Tom Rorvik**  
**Consumer Investigator**  
**Bucks County Consumer Protection / Weights & Measures**  
**1260 Almshouse Rd. 4<sup>th</sup> Floor**  
**Doylestown, PA 18901**  
**215-348-6060**  
**1-800-942-2669**  
**Fax: 267-885-1420**  
[www.buckscounty.org/consumerprotection](http://www.buckscounty.org/consumerprotection)

**From:** Ruth Muir [<mailto:rmuir@hrmml.com>] **On Behalf Of** Steve Hann  
**Sent:** Tuesday, May 03, 2016 1:28 PM  
**To:** Rorvik, Thomas E. <[terorvik@buckscounty.org](mailto:terorvik@buckscounty.org)>  
**Cc:** Steve Hann <[shann@hrmml.com](mailto:shann@hrmml.com)>  
**Subject:** FW: Case No. 2016-04-0031 Mr. Woody Hill

**BUCKS COUNTY WATER AND SEWER AUTHORITY**

**AMENDED AND RESTATED CONSOLIDATED  
2016 RATE AND FEE RESOLUTION**

**Resolution 2016-02**

WHEREAS, this Authority has adopted resolutions from time to time establishing rates and fees for the services it provides; and

NOW, THEREFORE, BE IT RESOLVED that 2015-05 be amended so as to add the rate studies associated with the establishment of water and sewer tapping fees.

**Part I – Rates & Fees**

Rates are expressed monthly but customers are billed monthly, quarterly or semi-annually or annually depending on area, water provider or contractual requirements

**A. New Hope, Doylestown Township, Doylestown Borough, Plumstead, Richland, Bensalem, Langhorne Manor, Lower Southampton and Middletown Service Areas**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	21.38	5.31	25.00	4.70
Commercial	23.71	7.11	53.56	4.46
Industrial	40.81	7.93	59.51	3.87
Public	26.14	10.20	23.21	5.12
Municipal	26.14	10.20	23.21	5.12
Flat	43.24	-		

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Fire Service by Size				
2" Pipe			4.50	
4" Pipe			27.88	
6" Pipe			80.97	
8" Pipe			172.55	
10" Pipe			310.32	
12" Pipe			501.25	
Twp. Hydrant			8.64	
Individual Hydrant			12.95	

**B. Langhorne Borough Service Area**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	21.19	4.03		
Commercial	23.30	6.15		

Year one of 3 year acquisition phase in

**C. Upper Dublin Service Area**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Residential	20.34	4.23		
Commercial	21.87	5.43		
Industrial	33.15	5.97		

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
Public	23.47	7.47		
Municipal	23.47	7.47		
Flat	40.32			

Year 2 of 3 year rate phase in

**D. Fort Washington Industrial Park (Upper Dublin Township)**

	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
<b>Residential</b>						
Single Fam	22.07	-	3.53			
5/8"Meter Size	21.03	.44	6.97			
3/4"Meter Size	26.15	1.01	6.97			
1" Meter Size	31.27	1.47	6.97			
1 1/2"Meter Size	45.71	2.77	6.97			
2"Meter Size	83.32	6.15	6.97			
3"Meter Size	147.44	11.91	6.97			
4"Meter Size	212.17	17.72	6.97			
6"Meter Size	392.61	33.92	6.97			
No Min	14.25					

Year 2 of 3 year rate phase in

<b>Commercial</b>	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
Single Fam	23.62	-	4.74			
5/8"Meter Size	22.59	.44	8.18			
3/4"Meter Size	27.70	1.01	8.18			
1"Meter Size	32.82	1.47	8.18			
1 1/2"Meter Size	47.27	2.77	8.18			
2"Meter Size	84.87	6.15	8.18			
3"Meter Size	148.99	11.91	8.18			
4"Meter Size	213.72	17.72	8.18			
6"Meter Size	394.16	33.92	8.18			
No Min	15.80	-				

Year 2 of 3 year rate phase in

<b>Industrial</b>	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
Single Fam	35.01	-	5.29			
5/8"Meter Size	33.98	.44	8.72			
3/4"Meter Size	39.10	1.01	8.72			
1"Meter Size	44.21	1.47	8.72			
1 1/2"Meter Size	58.66	2.77	8.72			
2"Meter Size	96.26	6.15	8.72			
3"Meter Size	160.38	11.91	8.72			



	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
4"Meter Size	225.11	17.72	8.72			
6"Meter Size	405.56	33.92	8.72			
No Min	27.19					

Year 2 of 3 year rate phase in

<b>Public</b>	<u>Sewer</u>			<u>Water</u>		
	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>Gal Min in 1000</u>	<u>\$ per 000</u>
Single Fam	25.23	-	6.80			
5/8"Meter Size	24.20	.44	10.24			
3/4"Meter Size	29.32	1.01	10.24			
1"Meter Size	34.43	1.47	10.24			
1 1/2"Meter Size	48.88	2.77	10.24			
2"Meter Size	86.49	6.15	10.24			
3"Meter Size	150.60	11.91	10.24			
4"Meter Size	215.33	17.72	10.24			
6"Meter Size	395.78	33.92	10.24			
No Min	17.41	-				

Year 2 of 3 year rate phase in

<b>Municipal</b>	<b><u>Sewer</u></b>			<b><u>Water</u></b>		
	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>Gal Min in 1000</u></b>	<b><u>\$ per 000</u></b>
Single Fam	25.23	-	6.80			
5/8"Meter Size	24.20	.44	10.24			
3/4"Meter Size	29.32	1.01	10.24			
1"Meter Size	34.43	1.47	10.24			
1 ½"Meter Size	48.88	2.77	10.24			
2"Meter Size	86.49	6.15	10.24			
3"Meter Size	150.60	11.91	10.24			
4"Meter Size	215.33	17.72	10.24			
6"Meter Size	395.78	33.92	10.24			
No Min	17.41					

Year 2 of 3 year rate phase in

<b>Flat Rate</b>	<b><u>Sewer</u></b>		<b><u>Water</u></b>	
	<b><u>\$ Min</u></b>	<b><u>\$ per 000</u></b>	<b><u>\$ Min</u></b>	<b><u>\$ per 000</u></b>
Single Fam	36.63			
5/8"Meter Size	35.60			
3/4"Meter Size	40.72			
1"Meter Size	45.83			
1 ½"Meter Size	60.28			
2"Meter Size	97.88			

	<u>Sewer</u>		<u>Water</u>	
	<u>\$Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
3"Meter Size	162.00			
4"Meter Size	226.73			
6"Meter Size	407.18			
No Min	28.81			

Year 2 of 3 year rate phase in

**E. Springfield Township**

	<u>Sewer</u>
All classifications (Based on 80% of water use)	\$6.36

**F. All Wholesale Service Areas**

	<u>Sewer</u>		<u>Water</u>	
	<u>\$ Min</u>	<u>\$ per 000</u>	<u>\$ Min</u>	<u>\$ per 000</u>
	25.90	4.35	540.92(1)	2.60(2)

(1) Per contract

(2) \$2.60 is the base rate for service. It is comprised of a raw water component and a BCWSA cost component. Additional financing charges may apply on a per customer basis and specific rate agreements and contractual obligations may supersede this rate. CPI adjustment in accordance with contract.

**G. Interest & Penalty**

All charges in All Service areas carry the following interest and penalty stipulation:

- 10% Penalty after thirty (30) days
- 10% Interest compounded annually on the outstanding balance including any penalty charges

**H. Discount for Electronic Download and Payment.**

All retail customers who electronically download their invoice and pay invoices electronically shall receive a Five (\$5.00) Dollar credit to their account on the one (1) year anniversary date of the customer's conversion to electronically downloading and payment of the water and/or sewer invoices. It shall be a condition of receiving the Five (\$5.00) Dollar discount that the electronic method of paying invoices remains in full force and effect for a period of one (1) year.

**Part II – Special Fees and Charges**

**A. Credit Card or Automated Clearing House Payments**

The Authority currently does not charge a fee for customers using a debit/credit card for Payment, but reserves the right to pass on any 3<sup>rd</sup> party fee in the future.

**B. Water Tapping Fees “(1)”**

- |   |                   |
|---|-------------------|
| 1. Wholesale Water Customer (capacity component)              | \$ 750 per Unit   |
| 2. Lower Southampton Twp, Middletown Twp (capacity component) | \$ 1,325 per Unit |
| 3. New Hope, Solebury (capacity component)                    | \$ 4,575 per Unit |
| 4. Retail Distribution Component (all retail areas)           | \$ 2,625 per Unit |

“(1)” Water Tapping Fees were established pursuant to rate studies prepared by Carroll Engineering Corporation dated June 14, 2005 and June 8, 2005, copies of which are attached hereto as Exhibit “A” and incorporated by reference.

**C. Water Meter Fee—Includes Installation**

<u>Meter Size</u>	<u>Meter Cost</u>
5/8 x 3/4 & 5/8 x 1/2	\$ 540.00
3/4”	\$ 590.00
1”	\$ 710.00
1 1/2”	\$ 920.00
2”	\$1,080.00

3"	\$1,500.00
6"	\$2,920.00

**D. Sewer Tapping Fees “(2)”**

1. Central & Upper Bucks County Sewer Service Area (treatment capacity component) except Upper Dublin Twp \$6,200 per EDU
2. Upper Dublin (treatment capacity component) \$2,100 per EDU
3. Central & Upper Bucks County Sewer Service Area & Upper Dublin (Treatment Collection Component [lines in street]) \$1,200 per EDU
4. Lower Bucks County Sewer Service Area Neshaminy Interceptor (Treatment capacity component) \$2,750 per EDU
5. Lower Bucks County Sewer Service Area Neshaminy Interceptor (Treatment Collection Component [lines in street]). If BCWSA must extend lines: \$1,000 per EDU

“(2)” Sewer tapping fees were established pursuant to rate studies prepared by Carroll Engineering dated June 14, 2005, and updated November 14, 2012 and April 2008. Copies of the rate studies are attached hereto as Exhibit B and incorporated by reference.

**E. The Debt Service Reimbursement Cost is payable quarterly until connection.**

\$50.00 per quarter per billable EDU

**F. Construction or inspection of construction of sewer or water lateral--actual time and material cost.**

**G. Television inspection of sewer lines—actual time and material cost.**

**H. Legal and engineering fees of outside consultants—actual cost, plus ten (10%) percent administrative charge.**

**I. Water service disconnection and/or shut off** \$ 60.00

**Water service reconnection** \$ 60.00

The procedure for water shutoff in the event of non-payment for sewer rentals or charges, including tapping fees under this Rate Resolution, is set forth in Section 7 of Resolution 2006-04 entitled Collection Sewer System.

**J. Lien filing fee** \$ 75.00

<b>Lien release charge</b>	\$ 0
<b>Lien renewal fee</b>	\$ 35.00

**K. Other than Wholesale Over Strength Sewage Charge**

The charge for an over strength sewage discharge, not in the wholesale system as set forth in Section (R) of this Part, shall be assessed in accordance with the treatment plant requirements where the over strength sewage is treated.

**L. Potable water delivery** \$180 delivery up to 5,500 gallons max.

**M. Certification Fee**

Full Certificate – Final Bill in Writing \$50.00

E-Certification -- Outstanding Balance (electronic) \$35.00

**N. Copies of Documents**

\$0.10 per copy/per page,  
\$0.50 per page for Faxed copies

Disk, if required \$1.00 per disk

“True and correct” certification \$2.00 additional

Prepayment required if total fees exceeds \$100.00

**O. Deduct Water Meter**

Upon written request from the property owner, a field person will inspect the system currently in use to determine the viability of installing a deduct meter. If the system, based on a sketch from the inspection, is determined to be satisfactory, homeowner will submit payment in the amount of \$300 for the inspection as well as the current rate for the meter (See section C). If it is determined that the system is inadequate for such meter, we will advise the owner to obtain the services of a plumber who can make the changes needed to accommodate the meter. Upon completion of same, we will start the process anew with a field person visit to the site. This Resolution supersedes Resolution 1997-01.

Well Meter Where Property Does Not Receive Public Water.

Upon request from the property owner, an authority field person will inspect the water system on the property currently in use to determine the viability of installing a meter to measure the water flow from the nonpublic water source providing water to the property. If the system, based upon a sketch from the inspection, is found to be satisfactory, the homeowner will submit payment in the amount of \$300 for the inspection, as well as the current rate for the meter (see section C). If it is determined that the system is inadequate for such meter, the Authority will advise the owner

to obtain the services of a plumber who can make the change needed to accommodate the meter. Upon completion of same, an Authority field person will visit the site to ensure that the meter was properly installed and adequately measures the flow from the nonpublic source of water to the property. Upon certification by the Authority field person that the system and the meter have been properly installed, the property owner will then be billed for public water in accordance with the provisions of Part 1 of this Rate Resolution.

- P. **Returned Item Fee** -- \$20.00 to include any item returned as uncollectible including checks, debit card transactions, credit card transactions, direct debits or e-payments.
- Q. **Recreational Vehicles – disposal of sanitary waste** – Customer must provide identification and most recent invoice for home service (i.e. must be BCWSA customer).
- R. **Wholesale Sewer Customer Surcharge**

In the event that sanitary sewage discharged into BCWSA's system exceeds a Biological Oxygen Demand ("B.O.D.") of 220 parts per million ("ppm") on average per quarter or a particular Suspended Solid Strength in excess of 220 ppm. B.O.D. on average per quarter, a surcharge per EDU shall be assessed. Said surcharge shall be calculated quarterly on the basis of not less than twenty-one (21) samplings per quarter, by multiplying the rate per EDU by a factor "F", which factor shall not be less than one (1), employing the following formula:

$$F = \frac{(S_i - S_a)}{S_a} + \frac{(B_i - B_a)}{B_a}$$

- where:
- F = Factor applied to basic treatment rate;
  - S<sub>i</sub> = Solid concentration of waste water in ppm
  - S<sub>a</sub> = Average total solids, equal to 220 ppm from domestic sewage
  - B<sub>i</sub> = B.O.D. concentration of waste water in ppm and
  - B<sub>a</sub> = Average B.O.D., equal to 220 ppm from domestic sewage.

If a customer does not have a clean out: \$10 monthly charge/\$1,000 contribution fee. If homeowner gets a cleanout installed the rate will go back to \$5 a month and \$500 contribution fee. This only applies to customers of BCWSA as of this date forward.

- S. **Maintenance Fee** – Maintenance fee in furtherance of the Authority's sewer, lateral and water connection Maintenance Program.

Homeowners Associations may qualify for a quantity discount of 10% depending on the total number of units enrolled.

RESIDENTIAL

Sewer Lateral - \$5.00/Month  
Water Service Line - \$5.00/Month  
Grinder Pump - \$10.00/Month

COMMERCIAL

Sewer Lateral - \$10.00/Month  
Water Service Line - \$10.00/Month  
Grinder Pump - \$20.00/Month

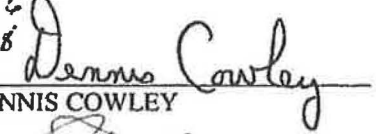
**T. Water Service Disconnection or Shut-Off at the Request of the Property Owner and/or Customer** – If at the request of a Property Owner and/or Customer, an employee of the Authority or a third-party designated by the Authority is requested to disconnect and/or otherwise shut-off water service to a property because of a malfunction, the need for maintenance and for any other reason, the Property owner and/or Customer shall be charged \$100.00 for the disconnect and/or shut-off and an additional \$100.00 if the Authority employee and/or authorized representative is required to return to the property to reconnect water service. If, however, the customer and/or Property owner has been enrolled in the Authority's Maintenance Program for sewer and/or water service for at least thirty (30) days prior to the request for service, and the Customer and/or Property Owner is current with their obligations pursuant to the maintenance program, no charge will be imposed upon the Property owner and/or Customer for the disconnect or reconnect of the water service.


**U. Hydrant Direct Water Charge** - \$2.50 per thousand gallon draw


**V. Review Fee (Design review, inspection, and Administrative Costs)** – for 1-2 EDU's connecting to System - \$1,000. Review fee for projects in excess of 2 EDU's will be determined by the Consulting Engineer

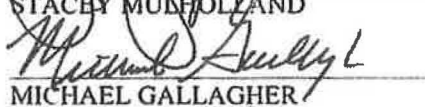
**W. Legal Fee for Preliminary Agreements** - \$1,000 will be added to the Design Review, Inspection and Administrative Escrow required at time of acceptance of the Preliminary Agreement

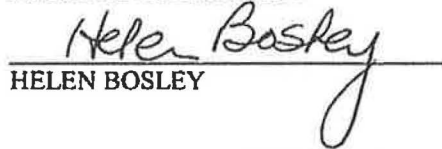
Adopted this 8<sup>th</sup> day of January, 2018  
(SEAL)

  
DENNIS COWLEY

  
RICHARD WEAVER

  
STACEY MUHOLLAND

  
MICHAEL GALLAGHER

  
HELEN BOSLEY