

RESOLUTION NO 1012

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES REPEALING RESOLUTION NO.194 ESTABLISHING UTILITY BILLING POLICIES AND PRACTICES AND ADOPTING UTILITY BILLING POLICY UB-1 BILLING ADJUSTMENTS

WHEREAS, the Board of Public Utilities adopted Resolution No. 194 on January 13, 1982, establishing Utility Billing Policies and Procedures regarding Property-Side Leak Adjustments and Malfunctioning Meters; and

WHEREAS, these adopted policies are now obsolete due to a multitude of changes to the City Code and Utility Billing practices and procedures that have occurred since January 1982; and

WHEREAS, the Malfunctioning Meters policy has since been superseded by the City Code and Miscellaneous Fees and Charges Resolutions and is no longer needed; and

WHEREAS, the Property-Side Leak Adjustment policy needs to be updated to reflect the City Code and current Utility Billing operations; and

WHEREAS, Utility Billing Policy UB-1 Billing Adjustments will supersede the Property-Side Leak Adjustment policy and should result in reduced expenses to the Utility, lessen confusion and provide equitable treatment to customers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities hereby repeals Resolution No. 194 adopted on January 13, 1982.

BE IT FURTHER RESOLVED that the Board adopts the attached Utility Billing Policy UB-1 Billing Adjustments effective this date.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 3rd day of November, 2011.

AYES: (7) DOWD, GALE, CARNEY, GALVIN, LOWRY, MEECHAN AND SWINTH

NOES: (0)

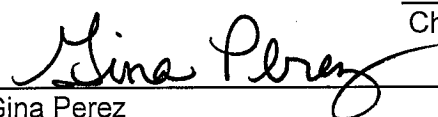
ABSENT: (0)

ABSTAIN: (0)


APPROVED:


Chairman Richard Dowd

ATTEST:


Gina Perez
Recording Secretary

APPROVED AS TO FORM:


City Attorney

Attachment: Utility Billing Policy UB-1 Billing Adjustments

UTILITY BILLING POLICY			
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I. PURPOSE

The purpose of this policy is to provide City of Santa Rosa's written policy on providing billing adjustments for property-side leaks, sewer cap re-evaluations, and dedicated irrigation account landscape measurement inaccuracies.

II. POLICY

A. Property Side Leaks

A property-side leak is any loss of water due to deterioration of pipes, fittings or equipment, the existence of which is known or unknown to the customer, and said loss emanates from the coupling on the customer's side of the water or recycled water meter, serving the customer's property.

Customers are responsible for the service and fittings attached to the Water Utility System beginning at the coupling on the customer's side of the meter. Any leaks in the line which are the responsibility of the customer must be repaired by the customer solely at his/her expense.

No adjustment or credit will be applied to the utility bill for property-side leaks, damage, deterioration or other factors beyond the control of the City, except as defined under Section A.1 – Property Side Leaks – Billing Adjustment.

The customer's service line, including the fittings on the customer's side of the meter, is to be maintained in a state of repair sufficient to allow the removal and replacement of the meter for maintenance. No adjustment or credits will be given for leaks which develop as a result of changing or maintaining the water or recycled water meter, unless it can be shown that the Utility was negligent in performing the meter change or maintenance.

The customer is responsible for monitoring higher than expected usage as reflected on the customer's bill. Customers must investigate higher than expected usage to determine if the usage was caused by a property-side leak. A customer who has observed or has actual knowledge of a property-side leak is in violation of the City's Water Waste Regulations as defined in City Code Chapter 14-21 and is required to promptly repair the leak.

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1. Property Side Leaks - Billing Adjustment Criteria

The Revenue Operations Supervisor, or another person delegated the responsibility for adjusting utility billings, may adjust the water or recycled water usage portion (excluding service charge) and any resulting sewer usage portion (excluding service charge), on a customer's bill when all of the following requirements are met:

1. Customer shall notify City, in writing, of water or recycled water loss and repair of a property-side leak within 60 days from the bill due date for the period in which the loss occurred.
2. The written request shall be accompanied by either a plumber's invoice for services rendered or a letter from the customer certifying:
 - a. The name, address, and telephone number of the person discovering the leak.
 - b. The date the leak was discovered.
 - c. The nature and location of the leak.
 - d. The date the leak was repaired.
 - e. The name, address, and telephone number of the person repairing the leak.
 - f. A description of the repair work performed.
3. The customer has not received a property-side leak billing adjustment in the past thirty-six months. The thirty-six month period begins the first month of the billing period following the last billing period for which a property-side leak billing adjustment was received.
4. The City shall not extend the due date of a water, recycled water or wastewater bill as a result of the customer submitting a request for an adjustment of a bill for a property-side leak. Payment in full is due each month by the billing due date.
5. There must be evidence that excessive use of water or recycled water was **not** due to the customer, his/her agents, or tenant's willful or neglectful acts.
6. The City shall require repair bills or other appropriate documentation substantiating the repair of the property side leak prior to approving a claim for adjustment.
7. If the excess usage is due to a property-side leak, the City must be satisfied that the problem that resulted in a request for a billing adjustment has been properly repaired or resolved.

2. Property Side Leaks – Billing Adjustment

1. The property-side leak billing adjustment shall be limited to one adjustment per thirty-six month period. The thirty-six month period begins the first month of the billing period following the last billing period for which a property-side leak billing adjustment was received.
2. The property-side leak billing adjustment shall be limited to two consecutive billing periods.

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3. The property-side leak billing adjustment will be calculated on the following criteria:

a. **Single Family Residential Accounts**

Single-Family Residential customer's water or recycled water usage as a result of a property-side leak must exceed Tier 2 and be at least 50% higher than usage compared to the same billing period in previous years to qualify for a property-side leak billing adjustment. If the Revenue Operations Supervisor grants a property-side leak billing adjustment, the amount of excess usage due to the property-side leak will be billed at the Tier 2 rate for Single-Family Residential customers.

If the excess usage is due to an inside leak (not irrigation), no sewer usage adjustment will be given. If the excess usage is due to an outside leak, a sewer usage adjustment may be considered. The sewer usage adjustment (based on the excess usage) shall be limited to two billing periods and to one adjustment every thirty-six months.

b. **Dedicated Irrigation Accounts**

Dedicated Irrigation customer's water or recycled water usage, as a result of a property-side leak, must exceed Tier 1 and be at least 50% higher than usage compared to the same billing period in previous years to qualify for a property-side leak billing adjustment. If the Revenue Operations Supervisor grants a property-side leak billing adjustment, the amount of excess usage due to the property-side leak will be billed at the Tier 1 rate for Dedicated Irrigation customers.

c. **Multi-Unit Residential and Commercial and Industrial Accounts**

Multi-Unit Residential and Commercial and Industrial customer's water or recycled water usage as a result of a property-side leak must be at least 50% higher than usage compared to same billing period in previous years to qualify for a property-side leak billing adjustment. The property-side leak billing adjustment will be calculated equivalent to the discount between Tier 3 and Tier 2 for Single-Family Residential customers. If the Revenue Operations Supervisor grants a property-side leak billing adjustment, the amount of excess usage due to the property-side leak will be billed at the calculated discount.

If the excess usage is due to an inside leak (not irrigation), no sewer usage adjustment will be given. If the excess usage is due to an outside leak, a sewer usage adjustment may be considered. The sewer usage adjustment (based on the excess usage) shall be limited to two billing periods and to one adjustment every thirty-six months.

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d. All Accounts – Unexplained Usage Billing Adjustment:

Customers can apply for one “unexplained” usage billing adjustment per the life of the account. For Single-Family Residential customers, “unexplained” usage must reach Tier 3 (or higher) and be at least 50% higher than normal usage compared to same billing period in previous years to qualify for a billing adjustment. For Multi-Unit Residential, Commercial and Industrial, and Dedicated Irrigation customers, the “unexplained” usage must be at least 50% higher than normal usage compared to same billing period in previous years to qualify for an adjustment. Only one “unexplained” usage billing adjustment will be processed for the life of the account. The billing adjustment will be calculated per customer class as described under Section A.2.3 above.

B. Sewer Cap Re-evaluations

Sewer Cap re-evaluations will only be processed for customers that had excess water usage due to a property-side leak that occurred during the most current winter cap setting period. The sewer cap re-evaluation for excess water usage due to a property-side leak resulting in a sewer cap adjustment will only be done one time within a thirty-six month period. The thirty-six month period begins the first month of the billing period following the last billing period for which the sewer cap adjustment was given. Requests for sewer cap re-evaluations due to any reason other than a property-side leak will not be considered.

C. Adjustments for Inaccurate Landscape Measurements

Landscape area measurements are printed on monthly utility bills for Dedicated Irrigation customers. As described in City Code Chapter 14-08.010, landscape area measurements are used to calculate water user charges. It is the responsibility of the customer to maintain accurate landscape area measurements of their property.

If a Dedicated Irrigation customer determines that the landscape area measurements are inaccurate, the customer must request verification of the landscape measurements as defined in City Code Chapter 14-08.010.

If a landscape area measurement verification leads to a landscape area measurement adjustment, the Revenue Operations Supervisor, or another person delegated the responsibility for adjusting water billings, will recalculate the billing period water budget for the two most recent billing periods and determine the applicable billing adjustment. The two most recent billing periods are the two previous billing periods prior to the customer request for verification of the landscape measurements.

The billing adjustment shall be limited to the two most recent consecutive billing periods and shall be limited to one adjustment every thirty-six months. The thirty-six month

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period begins the first month of the billing period following the last billing period for which the billing adjustment was given.

If a customer makes a change to the landscape which results in a change to the landscape area measurements, it is the customer's responsibility to submit new landscape measurements to Utility Billing. The landscape measurements will be verified by the Water Use Efficiency Team, or designee. A billing adjustment will not be made due to a change in landscape which results in a change to the landscape area measurements.

III. VARIANCE PROCEDURES

Variances will be granted, on a case-by-case basis, at the discretion of the Director of Utilities. The following conditions are among those that may be given consideration in the variance process:

- Granting a leak adjustment more often than once every thirty-six months
- Granting a sewer cap re-evaluation for a circumstance other than a property-side leak
- Granting a credit for more than two billing periods for Dedicated Irrigation customers with incorrect landscape measurements

IV. PROVISIONS FOR APPEAL

Any customer may appeal the final decision of staff regarding property-side leak billing adjustments, sewer cap re-evaluations or landscape measurement billing adjustments to the Director of Utilities, or a final decision of the Director of Utilities to the Board of Public Utilities by submitting a written notice of appeal to the City within ten City working days of the date of the decision. A decision of the Board of Public Utilities can be appealed to the City Council.