

**ENLARGED HEPZIBAH PSD  
DRAWER H  
HEPZIBAH, WV 26369  
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Fred Martin, Secretary  
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## **LEAK ADJUSTMENT POLICY**

**Effective August 8, 2022**

**The Enlarged Hepzibah Public Service District (District) in accordance with West Virginia Public Service Commission (Commission) Water and Sewer Rule 6.4.3 has established the following Water & Sewer Leak Adjustment Policy. This policy shall be maintained in District's office for inspection by the public during normal business hours and shall be applied in a non-discriminatory manner to all customers. This policy as well as any required forms will also be available on the District's website, [enlargedhepzibahpsd.com](http://enlargedhepzibahpsd.com), under forms.**

1. This policy concerns the adjustment of a customer's water and/or sewer bills where the bills are based upon metered water consumption, and the bill reflects unusually high usage which can be attributed to a leak on the customer's side of the meter.
2. **No leak adjustment will be considered for Customers using less than two times (200%) of their historical usage (as defined in paragraph #7 below).**
3. A water leak adjustment will not be considered for Customers using less than the minimum of 3,000 gallons of water (or the applicable minimum per the District's water tariff in effect at the time of the leak). A sewer leak adjustment will not be considered for customers using less than the minimum of 3,000 gallons (or the applicable minimum per the District's sewer tariff in effect at the time of the leak).
4. The District will generally adjust the two (2) highest bills during the period the leak occurred unless unusual circumstances are clearly demonstrated by the customer. If the leak occurs and is repaired within one (1) billing cycle, then only the one (1) month of billing will be adjusted. All leak adjustments granted will be credited to the customer's account.
5. The District must be notified by the customer as soon as possible that a leak has occurred and that an adjustment is desired. Customer must request a leak adjustment in writing by completing the required information on the District's Leak Adjustment Form. A completed Leak Adjustment Form, including documentation (described in paragraph #7 below) must be received by the District within one (1) month following discovery and repair of the leak. Failure to do so will forfeit the Customer's right to a leak adjustment, unless inclement weather or unusual difficulties in locating or repairing the leak can be documented by the customer. The District may disqualify and refuse to consider any incomplete request forms.

6. The burden of proof that the leak occurred, has been repaired and is eligible for adjustment rests solely with the Customer. The District requires documentation of leak repairs.  
Types of leak documentation which will be accepted include detailed photographs of the leak and repair, copies of plumber/contractor's invoice for repairing the leak, copies of receipts for materials purchased to repair the leak, and/or a written statement detailing the materials and repairs. All such documentation shall remain the property of the district.  
The District is under no obligation to verify leak adjustment requests. The District staff does not inspect the work that has been completed, but will look for evidence of repairs and verify a leak no longer exists.
7. The Customer's average historical usage is defined as the average usage of the preceding twelve (12) months, or the actual period of service if less than twelve (12) months. If no historical usage is available, a customer has not been billed a minimum of two (2) complete billing cycles, then the District will use the average of 4,500 gallons that the West Virginia Public Service Commission has set for a normal household. The average historical usage will not be billed at less than the minimum water and/or sewer bill for the particular class of service.
8. The District reserves the right to review all leak adjustment requests and inspect to insure the customer's service connections have been repaired according to West Virginia Code. Customer negligence in making prompt repairs to leaks may constitute discontinuance of service until the service line has been replaced and inspected by a District representative. The District reserves the right to refuse or limit the amount of adjustments granted, based on the number of adjustments granted in the previous (12) months, the timeliness of each request or if the customer has been found negligent in making prompt repairs to eliminate the leaks from their service connection.
9. **If a leak is deemed eligible for an adjustment, the Customer's bill will be adjusted in compliance with Commission's Water & Sewer Rule 6.4.3:**

#### WATER

- A. Charge for 2 times (200%) average historical usage (as defined in paragraph #7 above) at the District's water rates per the water tariff in effect at the time of the leak.
- B. Charge for usage in excess of the 2 times (200%) average historical usage (as defined in paragraph #7 above) at the applicable leak adjustment rate per the District's water tariff in effect at the time of the leak.

#### SEWER

Water from eligible leak entered the sanitary sewer system:

- C. Charge for 2 times (200%) average historical usage (as defined in paragraph #7 above) at the District's sewer rates per the water tariff in effect at the time of the leak.
- D. Charge for usage in excess of 2 times (200%) average historical usage (as defined in paragraph #7 above) at the applicable leak adjustment rate per the District's sewer tariff at the time of the leak.

Water from the eligible leak did not enter the sanitary sewer system:

- E. Any eligible leak above 2 times (200%) of average historical usage, which the Customer can prove did not enter the sanitary sewer system shall be credited at full tariff rates per the District's sewer tariff at the time of the leak. Sewer adjustment at full tariff rate would **include** leaks on service line up to and entering the home including under the home. This **would not include** leaks in basements with floor drains unless the Customer can prove the floor drain is not connected to the sanitary sewer system.

10. If the Customer continues to experience leaks, the District reserves the right to reject any and all future leak adjustment claims.
11. The District advises its Customers that a dispute regarding leak adjustments may be taken to the Commission in the form of an informal or formal complaint.
12. The reasonableness of the District's policy or practice with respect to the policy shall be subject to Commission review in a formal complaint proceeding.
13. The Customer will be notified if the leak is eligible for an adjustment or not.

### **Swimming Pool Adjustments From April 1 – August 31 Only**

The District will consider making one (1) adjustment per calendar year to sewer charges for water used to fill a pool that holds no less than 3,000 gallons. Should the increased water usage carry over into a second billing cycle, adjustments will be made on both months billings. See terms below:

- A. The pool must hold a minimum of 3,000 gallons to qualify for an adjustment.
- B. A completed Pool Filling Adjustment Form must be completed and returned to the District within one (1) month of filling pool. This must include a current photo of the filled pool. If pool measurements are visible on the side of the pool a photo of these should be attached as well. All documentation shall remain the property of the District.
- C. The adjustment will be calculated by the District based upon average historical usage (as defined in paragraph #7 above) but not to exceed the maximum gallons the pool will hold based on the manufacturer or the pool dimensions and shall be credited at full tariff rates per the District's sewer tariff at the time the pool is filled.
- D. The District reserves the right to disqualify and refuse to consider an adjustment for any incomplete pool adjustment forms.

**ALL FORMS MENTIONED ABOVE ARE AVAILABLE AT THE DISTRICT'S OFFICE  
OR THE WEBSITE, ENLARGEDHEPZIBAHPD.COM, UNDER FORMS**