

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

At a session of the PUBLIC SERVICE COMMISSION OF WEST VIRGINIA in the City of Charleston on the 22nd day of January, 2007.

CASE NO. 06-0016-PSD-T (Reopened)

**BERKELEY COUNTY PUBLIC SERVICE SEWER
DISTRICT**

Tariff filing for approval of an increase in the Capacity Improvement Fees applicable to Developers.

COMMISSION ORDER

On October 24, 2006, the Commission entered an Order which approved the Berkeley County Public Service Sewer District's (District) tariff application for approval of an increase in the Capacity Improvement Fees applicable to Developers. Among other things, the Commission also approved Staff's recommended rates for use by the District.

On December 29, 2006, Staff filed a petition to reopen this case for a Corrective Order. Staff explained that the Commission entered an Order in Case No. 06-0630-PSD-T on July 19, 2006 approving the Staff-recommended tariff for an increase in the District's disconnect/reconnect/administrative fees and the return check charge. Staff added that the October 24, 2006 Order superseded the July 19, 2006 Order and did not include the increases to the District's disconnect/reconnect/administrative fees and the return check charge. Therefore, Staff attached a corrected tariff which incorporated changes from both cases.

DISCUSSION

The Staff-recommended tariff, as attached to the Final Joint Staff Memorandum filed in this case (Case No. 06-0016-PSD-T) on May 25, 2006 and approved by the Commission on October 24, 2006, did not include the increases to the District's disconnect/reconnect/administrative fees and the return check charge as previously approved in Case No. 06-0630-PSD-T. As such, it is reasonable to grant Staff's petition to reopen and approve the Staff-corrected tariff.

FINDINGS OF FACT

1. In Case No. 06-0630-PSD-T, the Commission entered an Order on July 19, 2006 which approved the Staff-recommended tariff for an increase in the District's disconnect/reconnect/administrative fees and the return check charge.
2. On October 24, 2006, the Commission entered an Order approving the District's tariff application for approval of an increase in the Capacity Improvement Fees applicable to Developers. Among other things, the Commission also approved Staff's recommended rates for use by the District.
3. Staff's recommended tariff, as attached to the Final Joint Staff Memorandum filed on May 25, 2006 in this case (Case No. 06-0016-PSD-T), did not include the increases to the District's disconnect/reconnect/administrative fees and the return check charge as previously approved in Case No. 06-0630-PSD-T.
4. On December 29, 2006, Staff filed a petition to reopen this case for approval of a Staff-recommended corrected tariff which incorporated changes from both cases.

CONCLUSIONS OF LAW

1. Staff's petition to reopen should be approved.
2. It is reasonable to approve Staff's recommended corrected tariff which incorporates changes from both Case No. 06-0630-PSD-T and this case (Case No. 06-0016-PSD-T).

ORDER

IT IS, THEREFORE, ORDERED that Commission Staff's petition to reopen, filed on December 29, 2006, is hereby granted.

IT IS FURTHER ORDERED that Commission Staff's corrected recommended rates, attached hereto as Attachment A, are hereby approved for use by the Berkeley County Public Service Sewer District.

IT IS FURTHER ORDERED that the Berkeley County Public Service Sewer District file an original and five copies of the revised tariff, approved herein, with the Commission within ten (10) days of the date of this Order.

IT IS FURTHER ORDERED that all other conditions, as set forth in the Commission's Order of October 24, 2006 in this proceeding, are to remain in effect for this case.

IT IS FURTHER ORDERED that, upon entry hereof, this proceeding shall be removed from the Commission's active docket of cases.

IT IS FURTHER ORDERED that the Commission's Executive Secretary serve a copy of this order upon all parties of record by United States First Class Mail and upon Commission Staff by hand delivery.

A True Copy, Testor


Sandra Squire
Executive Secretary

TBS/ljm
060016cb.wpd

APPLICABILITY

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

(C) AVAILABILITY OF SERVICE (Customers with a metered water supply)

Available for general domestic, commercial and industrial service and sale for resale sewer service.

CHARGES

Volumetric Charge:	\$ 7.60 per 1,000 gallons usage
Service Charge:	\$ 7.90 per month
Flat Rate:	\$42.08 per month
Service Connection Charge	\$350.00

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is applicable

(C, I) DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

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

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

(C) Indicates change in text

LEAK ADJUSTMENT

\$0.53 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

(N) RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility up to a maximum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to insufficient funds.

(C) SURFACE OR GROUND WATER SURCHARGE

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

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

Applicability

Whenever the utility has discovered that a customer's roof drain, downspout, storm sewer or similar facilities that conduct surface water have been connected to the utility's sewer system, and such customer has failed to take appropriate action, within thirty (30) days of receipt of a demand by the utility in accordance with the Rules of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

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S = The surcharge in dollars

A = The area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet.

R = The measured rainfall, in inches

.0006233 = A conversion factor to change inches of rain x square feet of surface to thousands of gallons of water

C = The utility's approved rate per thousand gallons of metered water usage.

(C,I) APPROVED CAPACITY IMPROVEMENT FEES (CIFs)
 APPLICABLE TO DEVELOPERS ONLY

	<u>Meter Size</u>	<u>Factor</u>	<u>Collection CIF</u>	<u>Treatment CIF</u>
	5/8 inch	1	\$ 2,529	1,121
	3/4 inch	1.1	2,782	1,233
	1 inch	1.4	3,541	1,569
	1- 1/2 inch	1.8	4,552	2,018
(C)	2 inch Standard	2.5	6,323	2,803
(C)	2 inch Compound	8.0	20,232	8,968
(N)	2 inch Turbine	10.0	25,290	11,210
	3 inch Standard	11.0	27,819	12,331
	3 inch Compound	16.0	40,464	17,936
(N)	3 inch Turbine	24.0	60,696	26,904
	4 inch Standard	14.0	35,406	15,694
	4 inch Compound	25.0	63,225	28,025
(N)	4 inch Turbine	42.0	106,218	47,082
	6 inch Standard	21.0	53,109	23,541
	6 inch Compound	50.0	126,450	56,050
(N)	6 inch Turbine	92.0	232,668	103,132
	8 inch Standard	29.0	73,341	32,509
	8 inch Compound	80.0	202,320	89,680
(N)	8 inch Turbine	160.0	404,640	179,360

Meters in excess of 8 inches will be individually evaluated.

CIFs are due as of the date of the final sewer availability letter issued by the Berkeley County Public Service Sewer District.

The following property owners are exempt from payment of the CIF – owners of existing or new (being constructed) single-family structures, where the person applying for service will be the customer of record, and the proposed service location is not part of a larger land tract under development, or a subdivided portion of a larger tract that was previously subdivided for commercial or residential development, for profit.

- (C) Indicates change in text
- (N) Indicates new

APPLICABILITY

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

- (C) AVAILABILITY OF SERVICE (Customers with a metered water supply)
Available for general domestic, commercial and industrial service and sale for resale sewer service

CHARGES

First	3,000 gallons per month	\$8.05 per 1,000 gallons
Next	7,000 gallons per month	\$7.02 per 1,000 gallons
All Over	10,000 gallons per month	\$5.11 per 1,000 gallons

MINIMUM CHARGE

No bill will be rendered for less than \$24.15 per month, which is the equivalent of 3,000 gallons of usage.

- (C) TAP FEE
The following charge is to be made whenever the utility installs a new tap to serve an applicant.

A tap fee of \$250.00 will be charged to customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

- (C,I) DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

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

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

- (C) Indicates change in text
(I) Indicates increase

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

LEAK ADJUSTMENT

\$0.47 per 1,000 gallons of water is to be used when a bill reflects unusual water consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

(N) RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the sewer utility up to a maximum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to insufficient funds.

(N) Indicates new

(C) SURFACE OR GROUND WATER SURCHARGE

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

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

Applicability

Whenever the utility has discovered that a customer's roof drain, downspout, storm sewer or similar facilities that conduct surface water have been connected to the utility's sewer system, and such customer has failed to take appropriate action, within thirty (30) days of receipt of a demand by the utility in accordance with the Rules of the Public Service Commission, to eliminate such connection, a surcharge will be imposed upon the customer calculated on the basis of the following formula:

$$S = A \times R \times .0006233 \times C$$

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S = The surcharge in dollars

A = The area under roof and/or the area of any other water collection surface connected to the sanitary sewer, in square feet.

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.0006233 = A conversion factor to change inches of rain x square feet of surface to thousands of gallons of water

C = The utility's approved rate per thousand gallons of metered water usage.

(C) Indicates change in text

CAPACITY IMPROVEMENT FEE CHARGES

Meter Size	Factor	Collection CIF	Treatment CIF	Total
5/8 inch	1	\$2,529	\$1,121	\$3,650
3/4 inch	1.1	\$2,782	\$1,233	4,015
1 inch	1.4	\$3,541	\$1,569	5,110
1 1/2 inch	1.8	\$4,552	\$2,018	\$6,570
2 inch Standard	2.5	\$6,323	\$2,803	\$9,126
2 inch Compound	8	\$20,232	\$8,968	\$29,200
2 inch Turbine	10	\$25,290	\$11,210	\$36,500
3 inch Standard	11	\$27,819	\$12,331	\$40,150
3 inch Compound	16	\$40,464	\$17,936	\$58,400
3 inch Turbine	24	\$60,696	\$26,904	\$87,600
4 inch Standard	14	\$35,406	\$15,694	\$51,100
4 inch Compound	25	\$63,225	\$28,025	\$91,250
4 inch Turbine	42	\$106,218	\$47,082	\$153,300
6 inch Standard	21	\$53,109	\$23,541	\$76,650
6 inch Compound	50	\$126,450	\$56,050	\$182,500
6 inch Turbine	92	\$232,668	\$103,132	\$335,800
8 inch Standard	29	\$73,341	\$32,509	\$105,850
8 inch Compound	80	\$202,320	\$89,680	\$292,000
8 inch Turbine	160	\$404,640	\$179,360	\$584,000

Meters in excess of 8 inches will be individually evaluated.

CIFs are due as of the date of the final sewer availability letter issued by the Berkeley County Public Service Sewer District.