

MILTON MUNICIPAL UTILITIES COMMISSION

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LEAK ADJUSTMENT POLICY

The Milton Municipal Utilities Commission (MMUC) in accordance with the Public Service District of West Virginia (Commission) Water Rule 4.4.c, establishes a Leak Adjustment Policy. The purpose of MMUC's Leak Adjustment Policy is to provide the Customer with some relief from abnormally high bills resulting from a qualified leak on the Customer's side of the point of service. The policy shall be maintained in MMUC's office for inspection by the public during normal business hours and shall be applied in a non-discriminatory manner to all customers.

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 qualified leak on the Customer's side of the point of service.
2. MMUC will generally adjust one (1) bill during the period the leak occurred. However, if the leak occurred over the span of two (2) billing cycles, then a second bill may be adjusted. All leak adjustments granted will be credited to the Customer's account.
3. Customers are eligible for only one (1) leak adjustment in a twelve (12) consecutive month period.
4. For a Customer to qualify for a leak adjustment, the leak must have occurred on the Customer's service line or internal, concealed structural plumbing. Ongoing leaking commodes, dripping faucets, malfunctioning appliances, leaking garden hoses and similar situations will not constitute leaks which will be considered for a recalculated bill. However, in the case of an emergency water leak, which is beyond the control of the customer, a water and sewer adjustment may be calculated under the same guidelines for water line leaks affecting the water and sewer billing.
5. If MMUC notifies a customer that he or she has a leak as described above and does not repair said leak within five working days, the customer will not qualify for a leak adjustment.
6. MMUC must be notified by the Customer as soon as possible that an adjustment is desired. A written request for adjustment, including documentation (described below) must be received by MMUC within forty-five (45) calendar days following discovery and correction of the leak. Failure to do so will forfeit the Customer's consideration for a leak adjustment.
7. The burden of proof that the leak is eligible for consideration for an adjustment rests solely with the Customer. MMUC is under no obligation to verify leak adjustment requests. Types of leak documentation include detailed photographs of the leak, copies of plumber/contractor's invoices for repairing the leak, copies of receipts for materials purchased to repair the leak, etc. All such documentation shall remain the property of MMUC.
8. Should a leak be deemed eligible for adjustment, the Customer's bill will be adjusted in compliance with Commission Water Rule 4.4.c. which basically means the adjusted bill will be comprised of two components:

- a. Charge for average historical usage as discussed in Item 9 below at MMUC's rates in effect at the time of the leak.
 - b. Charge for usage in excess of the average historical usage as discussed above at the applicable incremental leak adjustment rate per MMUC's tariff in effect at the time of the leak. If there is no incremental leak adjustment rate defined in the tariff, MMUC shall charge the Commission's current estimate of "typical incremental" cost per thousand gallons of water for excess usage above the historic usage. The Commission shall from time to time establish its estimate of "typical incremental cost" by Commission order.
9. The Customer's average historical usage is defined as the average usage of the preceding twelve (12) months, or the average usage of the actual period of service if less than twelve (12) months. If the leak occurs in the first month of service for the Customer, MMUC may use the average historical usage of the same total customer class of service in the utility.
10. Any disputes regarding leak adjustments may be taken to the Commission in the form of an informal or formal complaint.
11. If the Customer continues to experience leaks, MMUC reserves the right to reject any and all future leak adjustment claims.
12. MMUC reserves the right to review each leak adjustment request for unusual circumstances and make the necessary ruling regarding the approval or denial of said request.
13. The Customer will be notified if the leak is not eligible for an adjustment.
14. Requesting a leak adjustment does not relieve responsibility for payment of the Customer's bill. All bills must be paid in full by the due date, or in the alternative, a payment arrangement must be made prior to the due date to avoid additional charges and/or disconnection of service.

This policy was adopted by the Milton Municipal Utilities Commission at its board meeting on July 2, 2019, to be effective immediately.