

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #2

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

AGENCY: Public Service Commission TITLE NUMBER: 150
RULE TYPE: Legislative; CITE AUTHORITY Code §§24-1-1, 24-1-7,
16-13A-9
AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 17

TITLE OF RULE BEING AMENDED: Rules and Regulations for the
Government of Public Service Districts - adding a new section 7
Notice of Delinquency to Property Owners

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED: _____

TITLE OF RULE BEING PROPOSED: _____

~~IN LIEU OF A PUBLIC HEARING,~~ A COMMENT PERIOD HAS BEEN ESTABLISHED DURING WHICH ANY INTERESTED PERSON MAY SEND COMMENTS CONCERNING THESE PROPOSED RULES. THIS COMMENT PERIOD WILL END ON November 15, 1989 AT 5:00 p.m. ONLY WRITTEN COMMENTS WILL BE ACCEPTED AND ARE TO BE MAILED TO THE FOLLOWING ADDRESS.

Public Service Commission of West Virginia
Howard M. Cunningham, Executive Secretary
P. O. Box 812
Charleston, West Virginia 25323

THE ISSUES TO BE HEARD SHALL BE LIMITED TO THIS PROPOSED RULE.

Howard M. Cunningham
HC

ATTACH A **BRIEF** SUMMARY OF YOUR PROPOSAL

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150 CSR 17

TITLE 150
LEGISLATIVE RULE
PUBLIC SERVICE COMMISSION

RULES AND REGULATIONS FOR THE
GOVERNMENT OF PUBLIC SERVICE DISTRICTS

§150-17-1 GENERAL

- 1.1 Scope - This legislative rule establishes requirements for notification to property owners of delinquencies in payment for charges for service and the duty of the district to discontinue service at the request of the owner.
- 1.2 Authority - West Virginia Code §24-1-1, §24-1-7 and §16-13A-9
- 1.3 Filing Date - October 16, 1989
- 1.4 Effective Date - Proposed Rules.
- 1.5 Except as herein modified, these rules incorporate by reference the Commission's Rules and Regulations for the Government of Water Utilities (Series VII) and Rules and Regulations for the Government of Sewer Utilities (Series V.).

§150-17-7 - NOTICE OF DELINQUENCY TO PROPERTY OWNER

- 7.1 Public service districts shall give notice to the property owner within thirty (30) days after a bill for service has become delinquent, by United States Certified Mail, return receipt requested. Such notice need only be given once per delinquency.
- 7.2 A public service district may discontinue service upon written request of the owner of the premises served when any charges for service to the premises remain unpaid by the users for a period of sixty (60) days after such charges become due and payable.

SUMMARY OF PROPOSED RULE

The proposed rule requires public service districts to give notice of delinquency to the owner of the property served within thirty (30) days of the delinquency and allows the owner to request discontinuance of service if bills for the premises served remain unpaid by the user for a period of sixty (60) days.

PSC
Leg Rule/Adm. Reg. 24-1
Series V

IN THE MATTER OF rulemaking proceeding
to amend the Commission's Rules and Regulations
for the Government of Public Service Districts
by adding Section 7, Notice of Delinquency to
Property Owner.

FISCAL NOTE

This is a fiscal note issued pursuant to West Virginia Code §§ 29A-3-4, 5 and 9 and West Virginia Code §24-1-7, relating to the Commission's General Order No.229.4.

I. OBJECTIVES OF THE RULES - To give effect to the provisions of Code §16-13A-9 which requires a public service district to give notice to a property owner of delinquencies and to discontinue service at the request of the owner when the charges remain unpaid for a period of sixty (60) days.

II. COST OF IMPLEMENTING THE PROPOSED RULES - Many public service districts, especially larger districts, may experience additional operating costs such as additional postage and labor time in reviewing billing statements to determine when a notice needs to be sent to a property owner. It is impossible to determine the exact impact this new notice requirement will have on a public service district due to the various financial factors and conditions unique to each district. However, it does not appear that the proposed thirty (30) day notice requirement will have a substantial financial impact on the great majority of districts and may improve cash flow through quicker resolution of unpaid charges by users who do not own the property being served.

III. THE EFFECT THIS MEASURE WILL HAVE ON THE COSTS OR REVENUES OF STATE GOVERNMENT (Information required by fiscal notes for either House of the Legislature).

The effect this rule will have on the costs or revenues of state government is de minimis.

IV. ECONOMIC IMPACT OF THE RULE ON THE STATE OR ITS RESIDENTS

Any economic impact of this rule on the State and its residents will be de minimis.

DATE October 16, 1989 AGENCY Public Service Commission

SIGNATURE OF AUTHORIZED REPRESENTATIVE

