

DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

NOTICE OF PROPOSED RULEMAKING

The Board of Directors of the District of Columbia Water and Sewer Authority ("the Board"), pursuant to the authority set forth in Section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, §§ 203(3), (11) and 216; D.C. Code §§ 34-2202.03(3), (11) and 34-2202.16, Section 6(a) of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1206; D.C. Code § 2-505(a), and in accordance with 21 District of Columbia Municipal Regulations (DCMR) Chapter 40, hereby gives notice of its intention to amend Title 21 DCMR Water and Sanitation Regulations, Chapter 41, Retail Water and Sewer Rates, Section 4100 Rates for Water Service, Section 4101 Rates for Sewer Service, and Section 4102 Customer Assistance Program; and Chapter 1, Water Supply, Section 112 Fees.

The Board expressed its intention to amend the DCMR at its regularly scheduled Board meeting held on January 7, 2010 pursuant to Board Resolution # 10-10 and on February 4, 2010 pursuant to Board Resolutions # 10-28 and 10-29. Final rulemaking action shall be taken in not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

Comments on these proposed rules should be submitted, in writing, no later than thirty (30) days after the date of publication of this notice in the *D.C. Register* to, Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 5000 Overlook Ave., S.W., Washington, D.C. 20032, or email Lmanley@dcwasa.com. Copies of these proposed rules may be obtained from the Authority at the same address.

In addition, the Board will also receive comments on these proposed rates at a public hearing at a later date. The public hearing notice will be published in a subsequent edition of the District of Columbia Register.

I. Timing of Final Action on Proposed Rulemaking

No final action will be taken on the Rulemaking Proposal described in this notice until after each of the following events has occurred:

1. A public hearing is held to receive comments on the proposed rulemaking.
2. The public comment period on this rulemaking expires; and
3. The Board of Directors takes final action after public comments are considered.

II. Rulemaking Proposal

The following rulemaking action is proposed:

Title 21 DCMR, Chapter 41 RETAIL WATER AND SEWER RATES, Section 4100 RATES FOR WATER SERVICE, Subsection 4100.3 is amended to read as follows:

4100 RATES FOR WATER SERVICE

4100.3 The rate for retail metered water service shall be:

- (a) Effective October 1, 2010, increased from Two Dollars and Fifty-One Cents (\$2.51) to Three Dollars and Ten Cents (\$3.10) for each One Hundred Cubic Feet (“CCF”) of water used.

Title 21 DCMR, CHAPTER 41 RETAIL WATER AND SEWER RATES, Section 4101 RATES FOR SEWER SERVICE is amended to read as follows:

4101 RATES FOR SEWER SERVICE

4101.1 The rates for sanitary sewer service shall be:

- (a) Effective October 1, 2010, the retail sanitary sewer service rate shall be increased from Three Dollars and Sixty-One Cents (\$3.61) to Three Dollars and Seventy-Nine Cents (\$3.79) for each One Hundred Cubic Feet (“CCF”) of water used; and
- (b) Effective October 1, 2010, the annual Impervious Surface Area Charge (“IAC”) shall be increased from Twenty-Six Dollars and Forty Cents (\$26.40) to Forty-One Dollars and Forty Cents (\$41.40) per Equivalent Residential Unit (“ERU”). The charge per ERU shall be billed monthly at Three Dollars and Forty-Five Cents (\$3.45) for each ERU.

4101.2 The IAC shall be based upon the Equivalent Residential Unit (“ERU”). An ERU is defined as one-thousand (1,000) square feet of impervious surface area, taking account of a statistical median of residential properties.

4101.3 All residential customers shall be assessed an IAC based on the following Six-Tier Residential Rate Structure for the IAC:

Tier	Size of Impervious Area (Square Feet)	Equivalent Residential Unit (ERU)
Tier 1	100 -600	0.6
Tier 2	700 -2000	1.0
Tier 3	2,100 -3,000	2.4
Tier 4	3,100-7,000	3.8
Tier 5	7,100 -11000	8.6
Tier 6	11,100 and more	13.5

Title 21 DCMR, CHAPTER 41 RETAIL WATER AND SEWER RATES, Section 4102 CUSTOMER ASSISTANCE PROGRAM is amended to read as follows:

4102 CUSTOMER ASSISTANCE PROGRAM

4102.1 CUSTOMER ASSISTANCE PROGRAM FOR HOUSEHOLDS AND TENANTS

- (a) Eligible households and tenants will receive an exemption from water service charges, sewer service charges, and Payment in Lieu of Taxes (“PILOT”) and Right of Way (“ROW”) fees for the first Four Hundred Cubic Feet (4 CCF) per month of water used. If the customer uses less than 4 CCF of water in any month, the exemption will apply to that month’s actual water usage.
- (b) Participation in the Customer Assistance Program is limited to single-family residential accounts and individually metered tenant accounts when the eligible applicant is responsible for paying for water services.
- (c) Eligibility is determined by the District of Columbia Department of Environment Energy Office.

Title 21 DCMR, Chapter 1 WATER SUPPLY, Section 112 FEES, Subsection 112.8 RIGHT OF WAY OCCUPANCY FEE PASS THROUGH CHARGE /PILOT FEE is amended to read as follows:

112.8 RIGHT OF WAY OCCUPANCY FEE PASS THROUGH CHARGE / PILOT FEE - The Right of Way Occupancy Fee Pass Through Charge / Payment in Lieu of Taxes (“PILOT”) Fee, assessed to recover the cost of fees charged by the District of Columbia to the Water and Sewer Authority for use of District of Columbia public space and rights of ways, shall be as follows:

- (a) Effective October 1, 2010, the Right of Way Occupancy Fee Pass Through Charge / PILOT Fee shall be increased from Fifty-Seven Cents (\$0.57) to Sixty-Three Cents (\$0.63) for each One Hundred Cubic Feet (“CCF”) of water used, divided as follows:
 - (1) Payment in Lieu of Taxes to the Office of the Chief Financial Officer (“OCFO”) of the District of Columbia, Forty-Nine Cents (\$0.49) per CCF; and
 - (2) District of Columbia Right of Way Fee, Fourteen Cents (\$0.14) per CCF.

Title 21 DCMR, Chapter 1 WATER SUPPLY, Section 112 FEES is amended by adding a new Subsection 112.9, CUSTOMER METERING FEE to read as follows:

112.9 Customer Metering Fee – Monthly fees for installing, operating, and maintaining meters shall be as follows:

Meter Size (inches)	Monthly Fee per Meter
5/8"	\$3.86
3/4"	\$4.06
1	\$4.56
1x1.25	\$4.83
1.5	\$6.88
1x1.5	\$6.88
2	\$7.54
2x1/2	\$8.00
2x5/8	\$8.00
3	\$76.98
3x5/8	\$77.94
3x1	\$77.94
3x3/4	\$77.94
4	\$137.37
4x3/4	\$138.15
4x1	\$138.15
4x1.5	\$138.15
4x2	\$138.15
4x2"5/8	\$181.04
6	\$268.14
6 x 1	\$272.70
6 x 1 x 1/2	\$323.09
6x1.5	\$323.09
6x3	\$323.09
6x3x1/2	\$323.09
6x3"3/4	\$323.09
8	\$323.29
8x2	\$323.29
8x4x1	\$358.26
8x4"3/4	\$358.26
10	\$317.91
10x2	\$403.62
10x6	\$403.62
10x6x1	\$403.62
12	\$329.66
12x6	\$329.66
16	\$349.45