



DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Board of Directors

Special DC Retail Water and Sewer Rates Committee

Tuesday, August 31, 2021
10:00 a.m.

Microsoft Teams

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

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Phone Conference ID: 365 432 002#

- 1. Call to Order Rachna Bhatt, Chairperson
- 2. Roll Call Linda Manley
- 3. Action Item (Attachment A)Matthew Brown
 - Recommends Approval of Proposal to Waive CAP2 Recertification Requirements to the Resolution Seeking Board Approval to Amend Customer Assistance Program Regulations Extending the DC Water Cares Residential Assistance Program and Multifamily Assistance Program (Action Item 1)
- 4. DC Retail Water and Sewer Rates Committee Workplan (Attachment B).....Matthew Brown
 - FY 2021 Proposed DC Retail Rates Committee Workplan
- 5. Executive Session* Rachna Bhatt, Chairperson
- 6. Adjournment Rachna Bhatt, Chairperson

*The DC Water Board of Directors may go into executive session at this meeting pursuant to the District of Columbia Open Meetings Act of 2010, if such action is approved by a majority vote of the Board members who constitute a quorum to discuss: matters prohibited from public disclosure pursuant to a court order or law under D.C. Official Code § 2-575(b)(1); contract negotiations under D.C. Official Code § 2-575(b)(2); legal, confidential or privileged matters under D.C. Official Code § 2-575(b)(4)(A); collective bargaining negotiations under D.C. Official Code § 2-575(b)(5); facility security under D.C. Official Code § 2-575(b)(8); disciplinary matters under D.C. Official Code § 2-575(b)(9); personnel matters under D.C. Official Code § 2- 575(b)(10); proprietary matters under D.C. Official Code § 2-575(b)(11); train and develop members of a public body and staff under D.C. Official Codes § 2-575(b)(12); decision in an adjudication action under D.C. Official Code § 2-575(b)(13); civil or criminal matters where disclosure to the public may harm the investigation under D.C. Official Code § 2-575(b)(14), and other matters provided in the Act.

Attachment A

DC Retail Water and Sewer Rates Committee

Action Item

1. Recommends Approval of Proposal to Waive CAP2 Recertification Requirements to the Resolution Seeking Board Approval to Amend Customer Assistance Program Regulations Extending the DC Water Cares Residential Assistance Program and Multifamily Assistance Program (Action item 1)

Action Item 1:

Add Attachment C to Waive FY 2021 CAP2 Customer's Recertification Requirements for FY 2022 to the Resolution seeking Board approval to amend Customer Assistance Program regulations extending the DC Water Cares Residential Assistance Program and Multifamily Assistance Program

Attachment C

Subsection 4102.2, Customer Assistance Program II (CAP2), of Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended to read as follows:

4102.2 CUSTOMER ASSISTANCE PROGRAM II (CAP2)

- (c) Upon DC Water's receipt of notice from DOEE that the CAP2 customer meets the financial eligibility requirements, DC Water shall provide the CAP2 benefits for not more than the entire fiscal year, beginning October 1st and terminating on September 30th, subject to the availability of budgeted funds.
 - (1) Approved CAP2 customers that submitted a complete application to DOEE before November 1st, shall receive CAP2 benefits retroactive to October 1st and terminating on September 30th of that fiscal year.
 - (2) Approved CAP2 customers that submitted a complete application on or after November 1st, shall receive CAP2 benefits as of the date of submittal and terminating on September 30th of that fiscal year.
 - (3) Customers shall reapply each year for CAP2 benefits to receive CAP2 benefits. For FY 2022, customers that DOEE determined were eligible for CAP2 benefits in FY 2021 are not required to reapply to receive CAP2 benefits in FY 2022, and shall be deemed categorically eligible for CAP2 benefits in FY 2022.

This rulemaking will be effective upon Board adoption of the Notice of Emergency and Proposed Rulemaking (NOEPR) for 120 days or upon publication of the Notice of Final Rulemaking (NOFR) in the *D.C. Register*.

Attachment B

FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task	Date of Activity	Completed	Responsible Department
1. Fire Protection Service Fee for FY 2022, FY 2023, and FY 2024			
a. <i>RRC recommend proposal for Fire Protection Service Fee</i>	March 23, 2021	√	Rates and Revenue
b. <i>Board approval of Notice of Proposed Rulemaking (NOPR)</i>	April 1, 2021	√	
c. <i>Publish NOPR in D.C Register</i>	April 23, 2021	√	DGLA
d. <i>Public Comment and Outreach</i>	April 23 – May 24, 2021	√	Marketing & Comm.
e. <i>RRC approval of final proposed Fire Protection Service Fee</i>	June 22, 2021	√	Rates and Revenue
f. <i>Board approval of Notice of Final Rulemaking (NOFR)</i>	July 1, 2021	√	
g. <i>Publish NOFR in D.C. Register</i>	July 16, 2021	√	DGLA
h. <i>Fire Protection Service Fee go-live</i>	October 1, 2021 (FY 2022)		Rates & Revenue
2. Proposal to Amend Customer Assistance Program Regulations to Establish “DC Water Cares”, and Emergency Residential Relief Program for Low-Income Residential (CAP and CAP2) Customers			
a. <i>Presentation to RRC on proposal to amend Customer Assistance Program (CAP) regulations for Residential Emergency Relief Program</i>	October 20, 2020	√	Customer Service
b. <i>RRC recommend approval of proposal to amend the CAP regulations for residential emergency relief program in FY2021</i>	October 20, 2020	√	Customer Service
c. <i>Board approval to publish Notice of Emergenct and Proposed Rulemaking (NOERP) to amend the CAP regulations for residential emergency relief program – Go-Live</i>	November 5, 2020	√	Board of Directors
d. <i>Publish NOEPR and Notice of Public Hearing in D.C. Register</i>	November 20, 2020	√	DGLA
e. <i>Public Comment Period</i>	November 20, 2020 -	√	Marketing & Comm.
f. <i>Public Hearing*</i>	January 5, 2021	√	
g. <i>Public Comment Closes</i>	January 13, 2021*	√	RRC
h. <i>RRC approves final proposal to amend CAP regulations for residential emergency relief program</i>	January 18, 2021	√	Board Secretary
i. <i>Board approval to publish Notice of Final Rulemaking (NOFR)</i>	January 26, 2021	√	Customer Service
j. <i>Board approval to publish Notice of Final Rulemaking (NOFR)</i>	February 4, 2021	√	Board of Directors
k. <i>Publish NOFR in D.C. Register</i>	February 19, 2021	√	
k. <i>Continue implementation under Final Emergency Relief Program Rules</i>	February 19, 2021	√	DGLA Customer Service

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FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task	Date of Activity	Completed	Responsible Department
<p>3. New Program to Provide Assistance to Tenants in Multi-Family Buildings where Occupants have been Negatively Impacted by COVID and Payment Plans are Established and Adhered to; Assistance Amount to be Determined and Provided per Affordable Unit, and will be on a Matching Basis</p>			
<p>a. <i>Presentation to RRC on update to amend Customer Assistance Program (CAP) regulations for Multi-Family Emergency Relief Program</i></p>	<p>November 17, 2020</p>	<p>√</p>	<p>Customer Service</p>
<p>b. <i>RRC recommend approval of proposal to amend the CAP regulations for multi-family emergency relief program</i></p>	<p>January 26, 2021</p>	<p>√</p>	<p>Customer Service</p>
<p>c. <i>Board approval to publish Notice of Emergency and Proposed Rulemaking (NOERP) to amend the CAP regulations for Multi-Family Emergency Relief Program</i></p>	<p>February 4, 2021</p>	<p>√</p>	<p>Board of Directors</p>
<p>d. <i>Publish NOERP and Notice of Public Hearing in D.C. Register</i></p>	<p>February 19, 2021</p>	<p>√</p>	<p>DGLA</p>
<p>e. <i>Public Comment Period</i></p>	<p>February 19 – April 12, 2021</p>	<p>√</p>	<p>Marketing & Comm.</p>
<p>f. <i>Public Hearing*</i></p>	<p>April 7, 2021</p>	<p>√</p>	<p>RRC</p>
<p>g. <i>Public Comment Period Closes</i></p>	<p>April 12, 2021</p>	<p>√</p>	<p>Board Secretary</p>
<p>h. <i>Post on DC Water website Report of Response to Comments received during public comment period</i></p>	<p>April 27, 2021</p>	<p>√</p>	<p>OMAC</p>
<p>i. <i>RRC approves final proposal to amend CAP regulations for Multi-Family Emergency Relief Program</i></p>	<p>April 27, 2021</p>	<p>√</p>	<p>Customer Service</p>
<p>j. <i>Board approval to publish Notice of Final Rulemaking (NOFR)</i></p>	<p>May 6, 2021</p>	<p>√</p>	<p>Board of Directors</p>
<p>k. <i>Publish NOFR in D.C. Register</i></p>	<p>May 21, 2021</p>	<p>√</p>	<p>DGLA</p>
<p>l. <i>Continue Implementation under Final Multi-Family Emergency Relief Program</i></p>	<p>May 21, 2021</p>	<p>√</p>	<p>Customer Service</p>

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FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task	Date of Activity	Completed	Responsible Department

4. New High Flow Filter Backwash Sewer Service Rate			
<i>a. Presentation to RRC amend Retail Sewer Rates Regulations to Establish new Filter Backwash Sewer Rate</i>	July 27, 2021	√	Clean Water Quality and Technology
<i>b. RRC recommend approval of proposal to amend the Retail Sewer Rates Regulations to Establish new Filter Backwash Sewer Rate</i>	July 27, 2021	√	RRC
<i>c. Board approval to publish Notice of Proposed Rulemaking (NOPR) to amend the Retail Sewer Rates Regulations to Establish new Filter Backwash Sewer Rate</i>	September 2, 2021		Board of Directors
<i>d. Publish NOPR and Notice of Public Hearing in D.C. Register</i>	September 17, 2021		DGLA
<i>e. Public Comment Period</i>	Sept. 17 – Nov. 15, 2021		Marketing & Comm.
<i>f. Public Hearing*</i>	November 10, 2021 "Tentative"		RRC
<i>g. Public Comment Period Closes</i>	November 15, 2021		Board Secretary
<i>h. RRC approves final proposal to amend Retail Sewer Rates Regulations to Establish new Filter Backwash Sewer Rate</i>	November 16, 2021		RRC
<i>i. Post Response to Comments Report on DC Water website</i>	November 30, 2021		OMAC
<i>j. Board approval to publish Notice of Final Rulemaking (NOFR)</i>	December 2, 2021		Board of Directors
<i>k. Publish NOFR in D.C. Register</i>	December 17, 2021		DGLA
<i>l. Implementation of the new High Flow Filter Backwash Sewer Rate</i>	December 17, 2021		CWQT

5. Establish Separate Sewer Area Backwater Reimbursement Program			
<i>a. RRC Proposes to the Board the Proposal to Implement Separate Sewer Area Backwater Reimbursement Program</i>	January 26, 2021	√	DETS
<i>b. Board Approval to Implement Separate Sewer Area Backwater Reimbursement Program</i>	February 4, 2021	√	Board of Directors

* Date subject to change

Attachment B

FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task	Date of Activity	Completed	Responsible Department
6. Proposal to Amend CAP Regulations to Extend DC Water Cares Residential and Multi-family Programs for FY 2022 and Waive FY 2021 CAP2 Customer Recertification Requirement for FY 2022			
a. Update to RRC on DC Water Cares Residential and Multi-family Assistance Programs (RAP and MAP Programs for FY 2022	June 22, 2021	√	Customer Service
b. Presentation of Proposal to RRC to Amend CAP Regulations to Extend DC Water Cares RAP and MAP Programs for FY 2022 and publication of NOEPR	July 27, 2021	√	Customer Service
c. RRC Recommends Approval of Proposal to Board to Amend the CAP Regulations to Extend DC Water Cares RAP and MAP Programs for FY 2022	July 27, 2021	√	RRC
d. Update RRC to recommend CAP amendments to waive FY 2021 CAP2 Customer's Recertification requirements for FY 2022	August 31, 2021		Customer Service/ DGLA
e. RRC recommends Approval of Proposal to Board to Amend te CAP Regulations to waive FY 2021 CAP2 Customer's Recertification Requirement for FY 2022 with other CAP amendments	August 31, 2021		Customer Service/ DGLA
f. Board Approval to Publish Notice of Emergency and Proposed Rulemaking (NOEPR) to Amend CAP Regulations to Extend DC Water Cares RAP and MAP Programs for FY 2022 and Waive FY 2021 CAP2 Customer's Recertification Requirement for FY 2022	September 2, 2021		Board of Directors
g. Publish NOEPR and Notice of Public Hearing in D.C. Register	September 17, 2021		DGLA
h. Public Comment Period Begins	Sept. 17 – Nov. 15, 2021		Marketing & Comm.
i. Implement extended DC Water Cares RAP and MAP Programs for FY 2022 and Waiver of FY 2021 CAP2 Customer's Recertification Requirement for FY 2022	October 1, 2021		Customer Servic
j. Public Hearing	November 10, 2021 "Tentative"		RRC
k. Public Comment Period Closes	November 15, 2021		Board Secretary
l. Present response to comments & final proposal to RRC	November 16, 2021		OMAC

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FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task			

<p>6. Proposal to Amend CAP Regulations to Extend DC Water Cares Residential and Multi-family Programs for FY 2022 and Waive FY 2021 CAP2 Customer Recertification Requirement for FY 2022</p>			
<p><i>m. RRC Recommends Approval for Final Proposal to Amend CAP Regulations to Extend DC Water Cares RAP and MAP Programs for FY 2022, Waive FY 2021 CAP2 Customer's Recertification Requirement for FY 2022 and publication of NOFR</i></p>	November 16, 2021		RRC
<p><i>n. Post Response to Comments on DC Water website</i></p>	November 30, 2021		OMAC
<p><i>o. Board Approval to Publish Notice of Final Rulemaking (NOFR) to Amend CAP Regulations to Extend DC Water Cares RAP and MAP Programs for FY 2022 and Waive FY 2021 CAP2 Customer's Recertification Requirement for FY 2022</i></p>	December 2, 2021		Board of Directors
<p><i>p. Publish NOFR in the D.C. Register</i></p>	December 17, 2021		DGLA
<p><i>q. Continue Implementing DC Water Cares RAP and MAP Programs and Waiver of FY 2021 CAP2 Customer's Recertification Requirement for FY 2022</i></p>	December 17, 2021		Customer Service

* Date subject to change

<p>7. 2022 Cost of Service Study (COS) for Water, Sewer and CRIAC</p>			
<p><i>a. Present COS to RRC</i></p>	January 25, 2022		Rates & Revenue
<p><i>b. Post Final COS on DC Water's website</i></p>	January 31, 2022		

* Date subject to change

<p>8. Amend 21 DCMR Chapter 4</p>			
<p><i>a. Present Proposed Revisions to Regulations for Customers Challenging their Bills to RRC</i></p>	July 27, 2021	√	Customer Service
<p><i>b. RRC recommendations for Board approval for of proposal proposed to amendments to 21 DCMR Chapter 4 regulations</i></p>	July 27, 2021	√	RRC
<p><i>c. Board Approval to Publish Notice of Proposed Rulemaking (NOPR) to Amend 21 DCMR Chapter 4 regulations</i></p>	September 2, 2021		Board of Directors
<p><i>d. Publish NOPR in DC Register</i></p>	September 17, 2021		Legal Affairs

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FY 2021 Proposed RRC Committee Workplan			
Objective/Activities/Task			

8. Amend 21 DCMR Chapter 4			
e. <i>Outreach and Public Comment Period</i>	Sept. 17 – Oct. 18, 2021		OMAC & Board Secretary RRC
f. <i>RRC recommendation for Board approval and adoption of final amendments to 21 DCMR Chapter 4 regulations</i>	October 26, 2021		
g. <i>Board Approval and Adoption of Notice of Final Rulemaking (NOFR) to Amend 21 DCMR Chapter 4 regulations</i>	November 4, 2021		Board of Directors
h. <i>Publish NOFR in the DC Register</i>	November 19, 2021		DGLA
i. <i>Chapter 4 Rules and Billing System – Go Live</i>	November 19, 2021		Customer Service

* Date subject to change

9. Delinquent Accounts			
a. <i>Soldiers Home Negotiations</i>	Monthly, as needed		DGLA

10. Rate Stabilization Fund			
a. Rate Stabilization Fund	Monthly, as needed		Rates & Revenue