

1.1 INTRODUCTION

The purpose of this section is to provide customers of the Holyoke Water Works with a description of its billing and metering procedures. This section includes discussions of meter reading procedures, water usage fees, billing and payment information, and procedures for meter repair and testing.

1.2 ACTUAL METER READINGS

1.2.1 Required Quarterly Readings

Except as otherwise provided in this section, the Commission will take an actual reading of the official Commission water meter for each account once each quarter. However, the Commission will not take readings of privately owned water meters at any time.

1.2.2 When Meter Cannot Be Read; Procedure

The property owner shall provide a reasonable and adequate location for the entry of the water service pipe into the cellar. Space must be provided for a water meter of a suitable size. The property owner shall keep the entrance valves and water meter accessible at all times, free from rubbish and other material that could obstruct access by the Holyoke Water Works.

In locations where a water meter location satisfactory to the Holyoke Water Works is not available within the building, the property owner shall be required to bear the extra cost of installing the water meter in a vault approved by the Board of Water Commissioners or its authorized representative.

Any property owner who interferes in any manner or refuses to allow or permit the personnel of the Holyoke Water Works to install, maintain, read, and inspect annually, a water meter or meters on their own premises shall be subject to a 48-hour shut off notice. Failure of said owner to desist from said interference or its continued refusal to cooperate with the Holyoke Water Works will result in the shut off of its water supply at the expiration of shut off notice period.

If the water service inspectors are unable to gain access to a water meter for any reason other than willful refusal of permission by the customer, the water service inspector will take appropriate and reasonable measures to assure an actual reading, including but not limited to making an appointment with the customer or scheduling readings for times other than normal business hours.

1. **Notice left at account premises** - In addition to the efforts to be made to gain an actual reading listed in this subsection, the water service inspector will complete a pre-printed notice form and leave it at the premises' principal entry.

2. **Contents of notice** - The notice shall provide a space for the meter reader to record the date and time of the attempted reading. It shall also include a form on which the customer may record the meter reading. The notice shall state that failure to return mail the notice will result in an estimated bill for the quarter.

1.2.3 Meter Reading Records

The water service inspector who reads meters shall record the number of each account for which he/she could not obtain an actual reading and the reason it was not possible. The Commission's account records shall identify the employee who makes each meter reading. The records referred to in this subsection are hereby declared to be public records subject to the provisions of Massachusetts General Laws Chapter 66.

1.3 ESTIMATED BILLS

In the preparation of bills for water service, the Commission may rely upon an estimate of a customer's water consumption only if:

1. The procedure used for calculating such estimates is based on the average of the previous four quarters independent of the readings being actual or estimated;
2. The bill includes on its face a clear indication that it is based upon estimated water consumption, including the conspicuous use of the word "Estimate" in close proximity to the statement of the amount due thereon.

1.4 ILLEGAL WATER SUPPLY

No water shall be supplied by any water customer to a person not entitled to its use, and full rates for such supply will be charged to any water customer so supplying other parties.

1.5 WATER USAGE FEES

1.5.1 Water Rates

HWW Board of Water Commissioners establishes the water usage fees, and possesses full authority to change the rates, subject to approval by Holyoke's City Council. The current water rates may be obtained by contacting the HWW Board of Water Commissioners.

1.5.2 SDWA Assessment

The Safe Drinking Water Act Assessment is a charge mandated by the Commonwealth of Massachusetts pursuant to Massachusetts General Law Chapter 21A, Section 18A, against all local public water suppliers to pay administrative expenses of the MADEP. Pursuant to the SDWA Assessment, the Holyoke Water Works is authorized to pass these charges onto the consumer in addition to administrative costs relative to the assessment,

in an amount not to exceed 5% of the annual assessment imposed on the Holyoke Water Works. The current assessment rate is \$8.00 per million gallons of water report to the MADEP as withdrawn, purchased, or pumped for a 12 month period three years prior to the assessment date. The charges, included in the water bill, are currently the same as the assessment rate or \$0.0008 per 100 gallons.

1.6 BILLING INFORMATION

1.6.1 Face of the Bill

The face of every bill rendered by the Commission to a customer will include, but not be limited to the following information:

1. The beginning and ending dates of the current billing period;
2. The number of days within which payment in full must be made in order to avoid delinquency charges on the account;
3. The amount of all charges remaining unpaid or unadjusted from the previous bill, labeled "Past Due";
4. A conspicuous statement that, in addition to any delinquency charges or other remedies of the Commission, service may be terminated if the past due amount remains unpaid;
5. The amount of the current charges for water;
6. A statement of the current delinquency charges due on past balances;
7. The actual or estimated meter reading;
8. A statement of the rate or rates upon which such charges are based;
9. The total current charges; and
10. The total amount due.

1.6.2 Reverse of the Bill

The reverse of a bill rendered by the Commission will include a statement of the delinquency charges the Commission may impose in the following form:

All charges or bills shall be due in full and payable when rendered. A delinquency charge will be added for any amount not paid within 45 days after the billing date shown on the front of this bill. That charge is calculated at an annual percentage rate of 14% under the provisions of Massachusetts General Law Chapter 40, Section 21E.

Payment must be received by the Holyoke Water Works before the past due date.

1.7 BILLING AND PAYMENT

1.7.1 When Due

All charges or bills shall be due and payable upon receipt. Bills will be considered delinquent and subject to delinquency charges under applicable law or these Regulations if not paid within 45 days from the billing date.

1.7.2 Delinquency Charges

Bills remaining unpaid after such due date shall be charged a delinquency charge or interest thereon at an annual rate of 14% under the provisions of Massachusetts General Law Chapter 40, Section 21E and the City of Holyoke Late Payment Ordinance. Payment must be received by Holyoke Water Works before the past due date.

1.7.3 Additional Shut-off/Turn-on Fee

A late payment notice will be issued to a delinquent account, 45 days after the billing date of the initial bill, notifying that water service may be terminated if payment is not made in full within 30 days. In addition to this provision, the Holyoke Water Works may charge a water shut-off/turn-on fee independent of the actual or physical termination of water service. The present fee for water shut-off or turn-on is described in Appendix B.

1.7.4 Payments; Application to Charges

A customer may make payments for water charges or services by mail or in person at the Commission's office located at 20 Commercial Street, Holyoke, Massachusetts. A customer must designate the account or accounts to which a payment will be applied. When a customer with more than one account fails to designate the account to which a payment is to be applied, the Commission shall credit the payment first to the account with the largest past due balance.

1.7.5 Short-check Charge

When a check is not honored by the customer's bank, regardless of the reason, a charge, described in Appendix B, shall be made to the customer.

1.7.6 Refunds; Application of Credit Balances

In the event that a customer overpays a bill or has a credit balance on an account, the overpayment or credit balance will be applied to a future bill. If a customer does not otherwise instruct, the Commission will apply a credit balance to the next bill for the account and to successive bills until it is used up. Or, if the customer has more than one account, the Commission will apply the remainder of the credit balance to the account with the largest past due balance.

1.7.7 Payment to Avoid Termination

In order to forestall termination of service to a delinquent account, payment following the issuance of a Final Payment Notice - Demand Notice, pursuant to Section 9.2.1 (c), shall be made either in cash or by a certified or a bank cashier's check. A person making a payment in person to forestall termination shall be referred to the Holyoke Water Works credit manager. Upon receipt of payment, the credit manager, in the presence of the person making the payment, will issue a stop termination order.

1.7.8 Payment After Termination

A customer seeking restoration of water service after termination due to the customer's non-payment of charges must pay the arrearages on the account in addition to a water shut-off/turn-on fee. Payment must be in cash or by a certified or bank cashier's check.

1.8 INSTALLATION AND REPLACEMENT OF WATER METERS AND REMOTE READING DEVICES

The Commission will maintain a program for the replacement of broken, worn, stuck, antiquated, or missing water meters. The Commission reserves the right to install remote reading devices on any customer's service pipe for reasons which are in the best interest of the Commission.

1.9 METER TESTING

1.9.1 Meter Tests

The Commission shall provide meter tests upon request. The Commission shall charge a standard fee, as indexed in Appendix B for this service, and shall require payment at the time of the test.

1.9.2 Replaced Meters

Upon a customer's request, the Commission will test any meter that is removed and replaced. When the Commission removes a meter other than at a customer's request, the Commission shall have the right to test the removed meter. The testing will be done in accordance with the Commission's procedures.

1.10 REIMBURSEMENT FOR SERVICES

The reimbursement schedule, adopted by the Board of Water Commissioners, is presented in Appendix B.

The property owner is responsible for the cost of any repairs or replacements of its water service from the municipal water main to the meter. This includes cellar floor/foundation wall repairs, road restoration, sidewalk repair, and landscaping.

On completion of work to said real estate property, the Owner is responsible for materials used, interior or exterior of its property, labor, and equipment costs along with the landscaping.

Emergency repairs to control leakage will be undertaken at the earliest convenience of the Holyoke Water Works and will thereafter be billed to the property owner, even if the Owner has not applied for repair work as hereinafter required.

Routine repairs, cleaning, or replacement of services will be undertaken only after application is made by the property owner and a satisfactory deposit for the work has been made except where service to other properties require immediate repairs be done.

The full cost of all repair or replacement work on the service connection shall be borne by the property owner. Charges for this work shall be due when rendered. Rebates due on deposits shall be either credited to the next water bill or returned to the property owner.

1.11 METERING ENTRANCE PIPES AND BYPASS ARRANGEMENTS

All entrance pipes in new construction and major renovations shall be provided with two valves between which the water meter shall be placed. For use during construction prior to the turning on of the water, the Holyoke Water Works will loan to the property owner a meter spacer.

All bypass arrangements shall be appropriately valved and metered. Bypass arrangements shall be permitted on water meters 2-inches and above and at the written authorization of the Board of Water Commissioners.

1.12 UNMETERED OUTLETS

All unmetered outlets from fire pipes and sprinkler systems shall be closed and sealed; the sealing of such outlets to be done by the Holyoke Water Works. Said seals shall not be broken, except in case of emergency, in which the Board of Water Commissioners shall be properly notified in writing.

1.13 METER SEALS

All meters, bypass valves, and outlets sealed by the Holyoke Water Works shall not be tampered with. Any seals broken by unauthorized persons or accident will be replaced and the Owner will be charged as described in Appendix B. Action will be taken against those who willfully or wantonly remove seals, damage meters or steal water, in accordance with Massachusetts General Law, Chapter 165, Section II, which reads as follows:

"Intentional injury to or interference with meter: penalty. Whoever unlawfully and intentionally injures, or suffers to be injured, a water meter belonging to a city, town, district, or company engaged in supplying water, or prevents such meter from duly registering the quantity of water supplied through it, or hinders or interferes with its proper action or just registration, or attaches a pipe to a main or pipe belonging to a

city, town district or company without the consent of the same, unless it passes through a meter set by such city, town, district, or company, shall be punished by a fine of not more than \$100 or by imprisonment for not more than one year, or both."