

Discontinuation of Non-Residential Water Service

(a) **Applicability**

This Regulation specifies the procedures for discontinuation of non-residential water service when payment by the non-residential customer of rates and charges becomes delinquent. This regulation applies to all Inverness Public Utility District Water System customer accounts for water service connections that are classified by the System as “non-residential services.” Services whose rates and charges are determined pursuant to application of Rate Codes CN and CX (or their equivalents) are deemed to be “non-residential services.” The provisions of this Regulation are intended to comply with Sections 16482, 16482.1, and 16483 of Article 3, Chapter 4, Division 7 of the Public Utilities Code (PUC) of the State of California.

(b) **Discharge of a Delinquency in Payment of a Bill**

Charges become delinquent 19 days from the date of the mailing of the District’s bill for the services. District strives to provide, at its option, a mailed “Reminder Notice” on or after 21 days of the date of the mailing of the District’s bill for services. Formal notification that a payment has become delinquent is made by mailing to the customer a “Notice of Account Delinquency and Impending Service Termination,” which shall occur not earlier than 42 days from the date of the bill for which payment has become delinquent and shall require payment of the delinquent charges within 15 days of the date of the notice (this is the so-called “10-day notice”). If charges remain delinquent after the payment date specified on the “Notice of Account Delinquency and Impending Service Termination,” a “48-Hr Notice of Service Termination” is mailed no earlier than 60 days from the date of the delinquent bill; said 48-hour notice is provided by mail, by telephone call or electronic media if possible, and by posting at the served premises. No service shall be discontinued for nonpayment until a payment has been delinquent for least 60 days (which is 79 days from the date of the mailing of the District’s bill for the services); however, once a 48-hour notice has been provided, all rates and charges that have accrued on the customer’s account, whether or not yet delinquent, and which remain unpaid, become payable in full in order to prevent service discontinuation or in order to resume service to a discontinued service.

(c) **Petition to District’s Executive Officer and Appeal of Executive Officer’s Determination**

A customer may petition to the District’s executive officer for a hearing on the accuracy of any charges billed to the customer. Such a petition must be filed with the District within 90 days of the date of the bill containing the contested charge or charges, or, if applicable, within the time period specified for filing an appeal that is included on any notice provided by the District of a payment that has become delinquent. The District’s executive officer shall conduct such a hearing within 30 days of receipt of customer’s petition for a hearing and shall issue a written decision within 14 days of the conclusion of the hearing. Within 30 days of the date of the executive officer’s written decision, the customer may appeal the executive officer’s decision to the Board of Directors by submitting a written appeal in letter format addressed to the executive officer. Upon receipt of such an appeal to the Board of Directors, the executive officer shall place the appeal on the agenda for the next regular meeting of the Board of Directors that is at least 12 calendar days from the date of the District’s receipt of the customer’s written appeal. The decision of the Board of Directors upon hearing and considering the appeal shall be final and binding. The District shall not take any action to discontinue service to a subject service once a petition for a hearing or an appeal to the Board of directors has been filed and until the petition or appeal has been resolved.

(d) **Incorrectly Calculated or Assessed Charges**

The District’s executive officer shall adjust any charges billed to a customer that investigation determines were incorrectly calculated or assessed. If such investigation is undertaken in response to a petition from a customer for bill review, the executive officer shall conduct a hearing within 30 days of receipt of customer’s petition for a hearing and shall issue a written decision within 14 days of the conclusion of the hearing. Within 30 days of notification to the customer of the executive officer’s determination, the executive officer’s decision can be appealed by the customer to the Board of Directors, pursuant to the procedure in subsection (c) of this Regulation. In the event that adjustment of billed charges to a customer’s account results in a credit balance in the customer’s account and said credit balance is in excess of \$150, the District shall, at the request of the customer, issue a refund to the customer in the amount of the credit balance.

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Regulation 304: Adopted, December 18, 2019 (Ordinance 92-2019)