



Rollingwood Utility Customer Appeals Process Summary

Rollingwood Utility customers may appeal to have their water and related wastewater bill reduced. ~~City Ordinance 2012-11-07 Sections 34-69 and 22-30 of the City's Code of Ordinances~~ governs the appeals process. This ordinance also specifies the process for termination of service for delinquent accounts. ~~Customers appealing their utility bill must pay an amount equal to the most recent uncontested bill for each month that is being appealed. During the appeals process, that portion of the bill under appeal is not considered delinquent, however, a~~All uncontested portions of the account must be paid and kept current.

Customers should be aware that the City is responsible for equipment malfunctions up to the point where the water meter is attached to the customer's supply line. The customer is responsible for leaks in plumbing and other equipment beyond this point. However, City Utility Staff may be able to assist customers in determining whether or not high water consumption is due to a leak. Customers are advised to consult with City Staff prior to a formal appeal, if a leak is suspected.

Appeals Process

The City Council designates the City of Rollingwood Utility Commission as the Hearing Officer for the purposes of Utility Appeals.

Appeals should be filed as soon as possible, but no later than six (6) months after issuance of the first contested utility bill. Adjustments of bills for periods exceeding three (3) months will not be considered except in extraordinary circumstances, as determined at the sole discretion of the City, with the exception of appeals under item 5 below, the "no confirmed leak" provision. Reasonable causes for appeals include:

1. Errors in meter reading
2. Water meter inaccuracy or other malfunctions (such as a leak within the meter, or a leak at the point where the meter attaches to the customer's line)
3. Errors in calculation of the bill
4. Excessive water use due to confirmed leaks in the customer's plumbing and other equipment. Appeals for partial reduction of the bill may be considered by City Staff, providing that the customer provides reasonable evidence that the leak has been repaired. Volume charges for excess water usage may be reduced to the actual per-gallon costs to the City, plus an administrative fee, not to exceed 10%. A reduction in wastewater charges may also be allowed, if inaccuracies occur during the winter averaging months.

4-5. A bill that exceeds the highest volume use during the preceding 12

months by 40% with no leaks confirmed

Excess water usage is typically estimated by determining the average water usage over the past three, two, or one year(s) for the same month(s), depending on the number of years' history available. The excess water usage is the difference between this average and the contested water usage. If there are fewer than 12 months' history available, City Staff is authorized to use another method, such as averaging the history that is available, hold on determining the average water usage until a year of historical usage is available to provide information to make the determination as provided above, determine average water usage.

An appeal under the "no confirmed leak" provision can be for no longer than two consecutive months. In such situations, the charges may be reduced for up to the two-month period to the next highest volumetric use in the most recent 12-months of usage plus the per gallon cost to the city plus an administrative fee not to exceed 10% for the amount over the highest use in the preceding months. A customer is not eligible for an appeal under the "no confirmed leak" category if they have been awarded an appeal of this type in the preceding 24 months. If two months usage were appealed and granted under this provision, the first appealed bill will serve as the determining month for purposes of determining whether a customer is eligible to make an appeal under this provision.

If informal discussion with City Staff does not resolve an issue, then the appeals process as outlined in the ordinance is the following: A written appeal is prepared by the customer and submitted to the City Secretary. The appeal is formally addressed to the City Council, but will be considered in the following steps:

1. The Utilities Director will evaluate the appeal and may recommend reducing the bill as requested, reducing it partially, or rejecting the appeal. The customer may choose to end the process at this point.
2. A customer not satisfied with the decision of the Utilities Director, may request further consideration and, if so, the appeal will be referred to the Utility Commission, who will act as Hearing Officer for rendition of a final decision. The Commission will conduct a hearing at its first meeting following the referral, for which adequate notice can be provided as required by the code.

Commented [AW1]: Staff recommendation was to limit the number of leak adjustments to once per year with the addition of the following language: "A customer is not eligible for an appeal or leak adjustment if they have been given a credit in connection with an appeal or leak adjustment in the preceding 12 months."

This recommendation was not recommended by the commission.

Commented [AW2]: The Commission recommended this be added to clarify that the first bill appealed would be the month used in calculating the rolling two-year limit.