

**Los Osos Community Services District
Utility Billing Adjustment Policy and Procedures**

I. DEFINITIONS

As used in this policy, the following terms shall have the meanings specified below:

- a. "Customer" means the person or entity under whose name a water account is created and/or who is ultimately responsible for payment of all charges incurred on the account per Title 2 of the District Code.
- b. "Water service line leak" means water loss from the water service line, the existence of which is known or unknown to the property owner or tenant (customer), beginning at the meter coupling on the customer's downstream side of the meter to the customer's home or business.
- c. "Non-water service line leak" means all water loss, other than from a water service line leak, due to deterioration of pipes, fittings, or equipment, the existence of which is known or unknown to the property owner or tenant (customer), and said loss emanates from the coupling / pipe fitting / appurtenance (example: toilet, irrigation valve) / junction on the customer's side of the water meter serving the customer's property.
- d. "Committee" means the Utility Billing Adjustment Committee
- e. "District" means Los Osos Community Services District

II. BACKGROUND

The Board of Directors through Resolution 2020-03 created the Utility Billing Adjustment Committee and gave the Committee the authority to resolve customer billing concerns, including the reduction of any amounts billed, as the Committee deems appropriate. The Committee is composed of Utilities Services Manager, Administrative Services Manager and the General Manager. The Committee has the authority to establish the policies necessary for performing its duties. The policies established by the Committee will be reviewed from time to time by the Board of Directors and, updated and approved accordingly.

III. PURPOSE

The purpose of this document is to establish a written policy for extending billing adjustments to water customers in the Los Osos Community Services District's water service area. The policy includes the requirements to request an adjustment and billing adjustment that will be granted if all the requirements are met.

IV. POLICY

A. Water and Non-Water Service Line Leaks

Customers are responsible for the service and fittings attached to the Water Utility system beginning at the meter coupling on the customer's downstream side of the meter. Any leaks in the line/pipe, which are the responsibility of the customer, must be maintained and repaired by the customer solely and at his/her expense per the District's Code, 2.02.13.

The customer's water service line, including the fittings on the customer's side of the meter, are to be maintained in a state of repair sufficient to allow the removal and replacement of the meter for maintenance. No adjustment or credits will be given for leaks which develop because of changing or maintaining the water meter, unless it can be shown that the Utility was negligent in performing the meter change or maintenance.

The customer is responsible for monitoring higher than expected usage as reflected on the customer's bill.

1. Customer Adjustment Request Requirements for Water Service Line Leaks:

The Committee, or a designee of the Committee is delegated the responsibility for adjusting water billings, may adjust the water usage portion (excluding service charges) on a customer’s bill for a water service line leak when all the following requirements are met:

- a. **WITHIN 60 DAYS OF BILL ISSUANCE:** Customer shall notify District, in writing, of water loss and repair of a water service line leak within 60 days from the bill issuance date for the period in which the loss occurred.
- b. **ONE ADJUSTMENT EVERY 24 MONTHS:** The customer has not received a water service line leak billing adjustment in the past 24 months. The 24-month period begins the first month of the billing period following the last billing period for which a leak billing adjustment was received.
- c. **PAYMENT OF BILL:** The District shall not extend the due date of a water bill because of the customer submitting a request for an adjustment of a bill for a water service line leak. Customer shall pay at least the uncontested portion of the bill to prevent discontinuation of service as determined by the Committee or their designee.
- d. **NO NEGLIGENT ACTS:** There must be evidence that excessive use of water was not due to the customer, his/her agents, or tenants’ willful or neglectful acts.
- e. **LEAK MUST BE REPAIRED OR RESOLVED:** If the excess usage is due to a water service line leak, the District must be satisfied that the problem that resulted in a request for a billing adjustment has been properly repaired or resolved.
- f. **EVIDENCE OF REPAIR OR RESOLUTION:** The District shall require repair bills or other appropriate documentation substantiating the repair of the water service line leak prior to approving a claim for adjustment. The written request shall be accompanied by either a plumber or landscaper’s invoice including a description of the repair work performed or a letter from the customer certifying:
 - a. The name, address, and telephone number of the person discovering the leak;
 - b. The date the leak was discovered;
 - c. The nature and location of the leak;
 - d. The date the leak was repaired;
 - e. The name, address, and telephone number of the person repairing the leak.

2. Water Service Line Leaks Billing Adjustments

The Committee or their designee has been delegated the authority to initiate the utility bill adjustment if all of the above requirements are met for a water service line leak. Each billing adjustment will be submitted to General Manager for review and final approval. The following requirements will be applied:

- a. **50% HIGHER THAN NORMAL:** Customers water, because of a service line leak, must be at least 50% higher than the average or normal water use as determined by the Committee to qualify for a billing adjustment.
- b. **ALL EXCEEDS USAGE BILLED AT TIER 1 RATE:** If the committee or their designee grants a water line leak adjustment, all the amount of excess usage (above the normal/average bill) due to the leak will be billed at the Tier 1 rate.

Example: Water Service Line Leak Adjustment			
	Water Use	Water Charges	Total Bill w/ Base Fee
Normal/Average Bill	10 units	\$68.75*	\$138.75
High Water Bill	30 units	\$276.25	\$346.25
Leak Adjustment @ Tier 1 rate of \$6.00/unit	20 units (30 units – 10 units)	\$120.00**	
Adjusted Water Bill		\$188.75	\$258.75

Example adjusted Water Bill Calculation: \$68.75* + \$120.00** + \$70.00 (base fee) = \$258.75

3. Non-water Service Line Leaks or Unexplained High Water Usage Billing Adjustment

Customers can apply for one non-water service line leak (i.e. high bill due to leak other than a water service line leak) or “unexplained” usage billing adjustment to the Committee once every 48

months. The usage must be at least 100% higher than usage compared to the average or normal water use as determined by the Committee to qualify for a high bill or unexplained water usage billing adjustment. The billing adjustment will be calculated similarly as described under Section IV.A.2 above.

B. Waiving Restore Fees

The Utility Billing Adjustment Committee will not waive restore fees assessed when a customer's water is properly shut off for non-payment. The restore fee is intended to recover the cost to the District for Utility Billing preparing the shut off and water operations turning the water off and then back on so, because the District staff work has already been completed, the fee will not be waived.

C. Variance Procedures

Variances will be granted, on a case-by-case basis, at the discretion of the Committee. The following conditions are among those that may be given consideration in the variance process:

- Granting a water service line leak adjustment more often than once every 24 months;
- Granting a non-water service line leak or unexplained water usage adjustment more often than once every 48 months;
- Granting a credit for more than one billing periods;
- Granting a credit that exceeds the standard billing adjustment;
- Granting a billing adjustment not addressed in the Billing Adjustment Policies and Procedures.

The customer must request a variance in person, during a meeting with the Committee.

D. Committee Decisions are Final

With the Committee having been granted the authority to resolve utility billing concerns, their decision is final.