

**PUBLIC SERVICE COMMISSION
OF WEST VIRGINIA
CHARLESTON**

CASE NO. 22-0433-W-CN

**TOWN OF FRANKLIN
Pendleton County, West Virginia**

Application for a certificate of convenience and necessity to construct certain additions and improvements to its existing waterworks system.

AMENDED NOTICE OF FILING

On May 6, 2022, the Town of Franklin (Town) filed a duly verified application for a Certificate of Convenience and Necessity to construct certain additions and improvements to its existing waterworks system in Pendleton County, West Virginia.

The Town proposes to construct the following additions and improvements to its waterworks system consisting of: (i) refurbishing and repainting the existing Hanover Water Storage Tank; (ii) installation of various improvements and upgrades to the Town's water treatment plant; and (iii) all appurtenances related thereto.

The application is on file with and available for public inspection at the Public Service Commission, 201 Brooks Street, Charleston, West Virginia.

The Town estimates that the project will cost approximately \$3,472,318. The Town proposes to fund the Project with a \$1,000,000 grant from the West Virginia Infrastructure and Jobs Development Council (WVIJDC), a \$1,772,318 loan from the Drinking Water Treatment Revolving Fund (DWTRF) for a term of 40 years at 0.5% interest, a \$500,000 DWTRF grant, and a \$200,000 WVIJDC design loan for a term of 40 years at 1.0% interest.

The Town anticipates charging the following rates, which have been enacted by Town Council following municipal ordinance procedures.

STEP 2

(Effective upon substantial completion of a waterworks system project or three months prior to initiation of the debt service associated with the waterworks system project, whichever occurs first)

SCHEDULE I

APPLICABILITY

Applicable within the entire territory served

AVAILABILITY OF SERVICE

Available for residential, commercial, governmental, industrial and resale water service.

RATES (Customers with metered water supply)

First 1,000	gallons used per month	\$28.35 per 1,000 gallons
Next 3,000	gallons used per month	\$20.66 per 1,000 gallons
Next 16,000	gallons used per month	\$18.34 per 1,000 gallons
All over 20,000	gallons used per month	\$17.11 per 1,000 gallons

MINIMUM CHARGE

Each customer shall pay a minimum charge of \$28.35 per month. (Equivalent to 1,000 gallons of water usage)

5/8	inch meter	\$28.35 per month
1	inch meter	\$70.88 per month
1-1/4	inch meter	\$103.48 per month
1-1/2	inch meter	\$141.75 per month
2	inch meter	\$226.80 per month
3	inch meter	\$425.25 per month
4	inch meter	\$708.75 per month
6	inch meter	\$1,417.50 per month
8	inch meter	\$2,268.00 per month

FLAT-RATE CHARGE (Customers with non-metered water supply)

Each customer shall pay a minimum charge of \$90.33 per month. (Equivalent to 4,000 gallons of water usage)

RESALE RATE

All usage per month \$6.04 per 1,000 gallons

PRIVATE FIRE PROTECTION SERVICE

Where connections, hydrants, sprinklers, etc. on private property are maintained by consumer: \$35.00 per month.

DELAYED PAYMENT PENALTY

The above schedule is net. On all accounts not paid in full when due, ten percent (10%) will be added to the net current amount unpaid. This delayed payment penalty is not interest and is to be collected only once for each bill where it is appropriate.

RETURNED CHECK CHARGE

A service charge equal to the actual bank fee assessed to the Town or a maximum of \$25.00 will be imposed upon any customer whose check for payment of charges is returned by the bank due to insufficient funds.

WATER DISCONNECT/RECONNECT/ADMINISTRATIVE FEES

Water service will not be restored until all past due water bills have been paid in full and all accrued penalties plus a disconnection charge of \$50.00 have been paid.

There shall be a \$50.00 reconnection charge paid prior to restoration of water service which has been previously disconnected for any reason.

In the event that Town staff or agents collect money at the customer's residence in order to stop disconnection, and administrative fee of \$50.00 shall be paid in addition to other charges to prevent disconnection.

TAP FEE

The following charges are to be made whenever the utility installs a new tap to serve an applicant.

A tap fee (shown below) will be charged to all customers who apply for service outside of a certificate proceeding before the Commission for each new tap to the system.

5/8	inch meter	\$450.00
1	inch meter	\$550.00
1-1/2	inch meter	\$650.00
2	inch meter	\$750.00
3	inch meter	\$850.00
4	inch meter	\$950.00

SECURITY DEPOSITS

Not to exceed one-twelfth (1/12) of the annual estimated charge for residential service, or one-sixth (1/6) of the annual estimated charge for commercial service, or fifty dollars, whichever is greater.

CALL OUT CHARGES

A fee of \$50.00 will be charged to customers for call outs after working hours or on holidays for problems other than the Town's responsibility. This charge will be assessed if the problem originates in an area beyond the Utility's point of service is so determined at the time of the call out by the Town.

LEAK ADJUSTMENT

\$0.71 per 1,000 gallons is to be used when a bill reflects unusual consumption which can be attributed to eligible leakage on the customer's side of the meter. This rate shall be applied to all such consumption above the customer's historical average usage.

EFT, ACH, CREDIT CARD AND DROP BOX PAYMENTS

A service charge will be imposed on EFT, ACH, Credit Card or Drop Box payments. The amount shall be equal to the actual charges to the Utility from the financial institution for processing payment.

MUNICIPAL EXCISE TAX SURCHARGE

The Municipality listed below, having imposed a public utility tax computed on the basis of 2.00 percent of the revenues from water sales by Franklin Municipal Water Department within the corporate limits of such municipality, said tax shall be billed as a "Utility Tax" to the customers receiving service within said corporate limits.

The water utility is required to collect the utility tax pursuant to West Virginia Code §8-13-5a.

Customers receiving water service within the corporate limits of the specified municipality shall pay a surcharge based on the following surcharge rate:

Municipality Utility Tax Rate	Local Tax Rate
Town of Franklin	2.00%

These rates represent the following project-related increases that became effective pursuant to municipal ordinance:

STEP 2

Effective Upon Substantial Completion of a Waterworks System Project or Three Months Prior to the Initiation of Debt Service, Whichever Occurs First

	Current Rates	Step 2 Rates	(\$) Rate Increase	(%) Rate Increase
Residential (2,367 gallons)	\$46.83	\$56.59	\$9.76	21%
Commercial (7,172 gallons)	\$122.96	\$148.50	\$25.54	21%
Industrial (1,644 gallons)	\$34.46	\$41.66	\$7.20	21%
Public Authority (5,295 gallons)	\$94.43	\$114.08	\$19.65	21%
Resale (223,187 gallons)	\$1,348.05	\$1,348.05	\$0	0%

The Town provides resale service to Pendleton County Public Service District.

The rate increase related to the project will produce approximately \$105,031 annually in additional revenue, an increase of 21%. The increase has been enacted by Town Council following municipal ordinance procedures and could be challenged only through a proper petition as set forth in W. Va. Code § 24-2-4b.

The increases shown are based on average of all customers in the indicated class. Individual customers may receive increases that are greater or less than the average.

Anyone desiring to protest or intervene in the Certificate proceeding should file a written protest or request to intervene within thirty (30) days following the date of this publication unless otherwise modified by Commission order. Failure to timely protest or intervene can affect your right to protest aspects of this certificate case or participate in future proceedings. All protests or requests to intervene should briefly state the reason for the protest or request to intervene. Requests to intervene must comply with the rules on intervention set forth in the Commission *Rules of Practice and Procedure*. All protests and requests to intervene should be addressed to Karen Buckley, Executive Secretary, P.O. Box 812, Charleston, West Virginia 25323.

In the absence of substantial protest received within thirty (30) days of this publication, the Commission may waive formal hearing and grant the application based on Commission review of the evidence submitted with the application.