

# THE YORK WATER COMPANY

## Your Rights and Responsibilities as a Water or Sewer Consumer



"That good York water"

SINCE 1816

**The Pennsylvania Public Utility Commission (PUC) prepared this guide to summarize the regulations regarding Standards and Billing Practices for Residential Service.**

As a residential water or sewer customer, you have many important rights and responsibilities to ensure fair dealings between you and your water or sewer company. This guide highlights your rights relating to your water or sewer company’s billing, credit, dispute, and shutoff practices.

These rights and responsibilities include your right to:

- Safe and reliable water or sewer service.
- A clear and concise bill.
- Fair credit and deposit policies.

You also have the right to:

- Know how your water or sewer bill is calculated.
- Check your water or sewer bill for accuracy.
- Question or disagree with the water or sewer company.
- Receive continuous water or sewer service if you meet your responsibilities.

You have the responsibility to:

- Pay your bill on time.
- Provide the water or sewer company access to its meter.
- Give the water or sewer company at least 7 days advance notice before you move or wish to have service discontinued.

You have additional protections outlined in this guide if you:

- Are a victim of domestic violence with a Protection From Abuse Order.
- Live in a low-income household.
- Are seriously ill or a member of the household is seriously ill.

Your water or sewer company has the responsibility to honor all of these rights. You, the customer, should know your rights and fulfill your responsibilities to maintain your service.

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### **You have the right to receive a bill for your water or sewer service once every billing period.**

Most companies send bills every month. However, some water or sewer companies send bills once every two months or once every three months (quarterly). Your bill will be based on either a meter reading or an estimate.

If your water or sewer company offers an electronic billing program, you may choose to have your bill sent electronically instead of receiving a paper bill. Your electronic bill must include the same information as a paper bill, including bill inserts and messages. Your company cannot charge you a fee for electronic billing. The electronic billing option is voluntary and you have the right to return to paper billing. To return to paper billing, you must make the request to your company. The process to return to paper billing may take one billing period.

### **The Water Meter and Meter Readings**

If your water or sewer company sends you a bill each month, the company will read your meter at least every other month. Some water companies use technology that lets them read your meter automatically. Others send meter readers and utility service personnel to visit your residence to get a meter reading. Meter readers and water or sewer company personnel will carry identification, which you should ask to see for your protection. Please call your water or sewer company immediately if you have questions about the identity of an employee.

The meter is the property of your water or sewer company. It is illegal for you to remove the meter or tamper with it. You have the responsibility to give the water or sewer company access to the meter in order to read it and maintain it. You must make the meter accessible by keeping it free from obstructions that the water or sewer company employee may encounter at your residence. If you have a pet, you should restrain it. If there are obstacles in the way, you should remove them.

### **Estimated Bills**

Water or sewer companies that bill monthly may estimate your usage every other month. Your bill may also be estimated when extreme weather conditions, emergencies, strikes, or other circumstances prevent the company from taking an actual meter reading. The estimate is based on your previous usage through previous meter readings and may be adjusted for existing weather conditions.

Your water or sewer bill also may be estimated when the meter reader cannot gain access to your meter. When this happens, the water or sewer company still has the responsibility to take an actual meter reading at least once every six months unless you supply your own meter readings. If you supply the readings, the company has the responsibility to take an actual reading every 12 months. You and the company have the responsibility to make arrangements for meter readings if the meter is in a locked place. If your bill has been estimated for several months, your actual bill may be increased or decreased according to the usage indicated by the actual meter reading.

### **Supplying Your Own Meter Readings**

If you would like all your bills to be based on actual meter readings instead of estimates, you may supply the water or sewer company with readings during estimated billing periods. Some companies let you give them your meter reading by telephone or through their website. You may also ask for meter reading cards from the company and return them by the date listed on the card. Contact your water or sewer company for more details. The company will also provide you with meter reading instructions.

### **Checking Your Water or Sewer Bill for Accuracy**

If you think that your water or sewer bill is wrong, you can check it in the following ways:

**Read** your meter if you question the amount of service you have used and compare the meter reading to the meter reading that is on your bill. Your usage will have increased between the time the company read your meter and when you take the reading. For this reason, your reading may be somewhat higher than the reading listed on your bill.

**Compare** the usage on the current bill to one you received at the same time last year. Remember to compare differences in usage rather than differences in the total dollar amount due. Your bill may even have a bar chart that compares usage for the past 13 months. Remember to consider severe weather conditions and changes in living habits (such as additions to your house, a new appliance, additional family members, or more time spent at home) when comparing your usage information.

**Contact** the company immediately with any additional questions about your bill.

### When to Pay

You must make every effort to pay your bill by its due date. After the bill is mailed, you have 20 days to pay it. If you do not pay the bill by its due date, you may be charged a late fee on the unpaid overdue balance. Late fees cannot be more than 1.5 percent per month or greater than 18 percent simple interest per year. If you do not pay your bill on time, the company may pursue collection activity or termination of service.

### Where to Pay

You may either mail the payment, pay your bill at “authorized” locations chosen by your water or sewer company, or pay online. By calling the company, you also may receive other payment options. Check your company’s website for “authorized” payment locations and information about acceptable ways to pay. The company is not responsible for any lost payments made to an unauthorized agent.

### Electronic Bill Payment

Your water or sewer company may offer an electronic bill payment program. If the bill payment is made through an automatic charge to your credit card or an automatic withdrawal from your bank account, you have the right to know when the automatic payment will be made – either the number of days after the bill is issued or the actual date. Your company cannot require you to enroll in an electronic payment program even if you choose to receive your bill electronically.

### Billing Errors – Make-Up Bills

Sometimes billing errors occur. These mistakes could be caused by a water or sewer company billing error or a number of low or high estimated bills. The company must refund or credit your account with any over-collected amounts resulting from this mistake. Likewise, if you have used more water or sewer service than the amount you were billed, you must pay the additional charge to the company. However, the company must explain this “make-up” bill. You do not have to pay this amount in a lump sum. You can pay it back over a period of time that is equal to the time period during which the mistake occurred. Please call your company to make appropriate payment arrangements.

### Non-Basic Service Charges

A water or sewer company may put a charge for a non-basic service on your bill. However, the company

must present this charge clearly and separately on your bill. Some examples of these non-basic charges are: merchandise, appliances, installation fees, sales, rental or repair costs, meter testing fees, line extension costs, special construction charges, and warranty programs.

### Budget Billing – Plan Your Expenses

Some water or sewer companies offer budget billing. Call your water or sewer company to find out if this is an option for you. With budget billing, you make an agreement with the company to have your bills averaged throughout the year. The company will review and adjust the amount of your budget bill based on your usage. You will be billed for approximately the same amount each month even though your usage may vary from season to season.

### If You Move

If you plan to move, you have the responsibility to notify the water or sewer company at least 7 days before your moving date to have service discontinued. If you fail to notify the company, you may have to pay for service at your old address even after you move. Even though you move, you are still responsible to pay any bills you still owe at your old address. It would be helpful to keep documentation that you notified the company, either by making a copy of the letter sent to the company or by writing down the date, time and name of the company representative you notified.

You also have the responsibility of giving the company access to your meter for a final reading and shutoff. If you cannot or do not provide access to your meter at the time you want your service shut off, the company may finalize your account based on an estimate. The company has the right to issue a revised bill if an actual meter reading later shows the estimate was incorrect.

### If You’ll Be Away From Home

If you plan to be away from home for a long period of time, you have the responsibility to make arrangements for paying your bills and ensuring access to the company’s meter. Remember, your water or sewer service continues even while you are away and you will be billed during your absence. Your failure to make arrangements for payment of these bills could result in the shutoff (termination) of your service.

**Third-Party Notification of Shutoff – Extra Protection**

The third-party notification program gives added protection against water service shutoff. This program protects individuals who may either be away from home for an extended time period or those who may not understand the company’s practices.

The third-party notification program lets you choose another person to receive copies of shutoff or termination notices your company sends you for any reason.

By filling out a form, you permit the company to send these notices to a third party that you choose. In this way, another individual (e.g., family member or close friend) is made aware of an important problem. Perhaps this person can provide you with advice or assistance. This third party does not have the responsibility for paying your bills!

You may obtain forms and further information concerning this program by calling the company, or by visiting your company’s website.

**If You Have a Protection from Abuse Order**

If you are a victim of abuse and have a Protection from Abuse (PFA) order issued by the courts, special procedures and protections exist for handling your concerns regarding your water or sewer service.

Some of these protections include:

- Your service cannot be turned off during the winter without approval from the PUC.
- Depending on your income, a special payment arrangement may be available.
- Your service cannot be terminated the day before a weekend or holiday.
- You may not be held responsible for a bill in someone else’s name.
- You may not be required to pay a security deposit. If you are required to pay a security deposit, you may qualify to spread the amount due over three payments.

Call your water or sewer company to inform them about your PFA so these special procedures and protections can be provided. Your water or sewer company may require you to provide them with a copy of your PFA order.

Security deposit decisions must be based only on your individual credit record. The water or sewer company cannot require a deposit on the basis of where you live, your race, sex, age if over 18, national origin, or marital status.

**Credit Policy for New Customers**

When you apply for new water or sewer service, the company has the right to check your credit history and level of credit risk to determine whether a security deposit is necessary. The company may ask you for your social security number in order to check your credit history, but cannot require you to provide your social security number. The company can ask for valid identification (ID) which may be a government issued photo ID or two alternative IDs as long as one has a photo. The company may also require you to provide the names and proof of identity of each adult occupant of the residence.

The company can charge you a deposit as a new customer if you:

- Were previously a customer of the company and either your service was involuntarily terminated or you have a previously unpaid balance.
- Cannot pass the company’s credit scoring assessment.

The company must notify you in writing of the specific reasons why you are required to pay a security deposit. If the company takes longer than three business days to check your credit, it must provide you with service until the deposit decision is made. You also have the right to furnish a third-party guarantor instead of paying a cash deposit.

If you are a low-income consumer applying for or already participating in a company Customer Assistance Program, the company may waive or forgive the need for a deposit.

In addition, before providing service the company may require that you pay any unpaid bills that you owe to the company from the last four years. The company may require you to pay even if you were not the customer of record. If you resided at the residence for which service is requested when the unpaid bills accumulated, the company may require you to pay those bills. The company may allow you to make a payment agreement to pay the amount you owe.

If you did not live at the residence, the company cannot hold you responsible for another person's unpaid bills. The company may ask you to provide additional proof to show that you did not live at the residence.

### **Credit Policy for Existing Customers**

The water or sewer company may require a security deposit from you as an existing customer if you:

- Have not paid your water or sewer bills on time. That is, you have been late in paying two bills in a row or three or more bills in the last year.
- Have failed to make payments according to a payment schedule set up to pay past-due bills.
- Have had service shut off because of unpaid bills.

### **Satisfying a Security Deposit Request**

You may satisfy the company's request for the deposit by doing either one of the following two options:

**Paying a Cash Deposit.** The amount of the deposit cannot be greater than two months of your estimated usage. Applicants who seek to reconnect service after being terminated have the option to pay this deposit in three payments: 50 percent immediately, 25 percent at the end of 30 days, and 25 percent at the end of 60 days.

Existing customers who have been delinquent in payment on their account also have the option of paying the deposit in installments. Existing customers have 21 days after notification by the company to make the first payment.

All other applicants or customers may be required to pay this deposit in a lump sum upon request. Applicants for and participants in the company's Customer Assistance Program may be subject to different deposit amounts and should confirm that amount with the company.

**Supplying a Third-Party Guarantor.** Instead of paying a cash deposit you can have another credit-worthy person sign a form guaranteeing that your bills will be paid. If you miss a payment, this person is responsible for paying all missed payments owed to the company.

The guarantor must be able to establish credit by showing an account with a timely payment history that contains no prior service terminations or by passing the company's credit scoring assessment.

### **Establishing a timely payment history**

A water or sewer company may hold a deposit until a timely payment history is established or for a maximum period of 24 months. A timely payment history is established when a customer has paid in full and on time for 12 consecutive months. This deposit earns interest.

## **DISAGREEING WITH YOUR WATER OR SEWER COMPANY**

You have the right to question or dispute any billing or service action of the company. You should tell the company of the problem as soon as it occurs. This gives the company the opportunity to resolve the matter with you. If you do not contact the company first, the Commission may instruct you to do so before accepting an informal complaint from you.

### **Questions, Problems and Disputes – Get In Touch Immediately with Your Water or Sewer Company**

You may question any charge applied to your bill, ask about the company's billing policies or services, request new service, complain about present service or make a payment agreement for your bills. Your concerns or questions can often be best answered if you immediately bring them to your company's attention. Your company may ask you to allow it to review its records about your concern and call you back. If you agree to let the company do this, they will call you back with the results of their investigation. If the company cannot reach you, it will send you a letter that will tell you what it found from its review.

If you are not satisfied or disagree with the company's response, tell the company that the matter is not resolved to your satisfaction. You may do this in writing or by notifying a company representative by phone. At this point, the inquiry you make to the company becomes a **dispute**.

### **Steps of the Dispute Process**

Here are the steps of the dispute process, which must be followed in the order in which they are listed below:

#### **Step 1. Filing a Dispute with the Water or Sewer Company.**

After you have indicated that you are not satisfied with the company's resolution of your inquiry, the company must respond to your dispute within 30 days.

In answering your dispute, the company must provide you with all the information necessary for you to make a decision on whether you need to proceed further with the matter. This includes informing you of all related company rules (tariffs). The company can also provide you with a statement of your account including payments and meter readings. Meter test results and any other information related to your dispute should also be included when appropriate. In addition, the company must tell you of your right to register a further complaint with the PUC and how to do this. The company must make the written utility company report available to you upon request.

### Step 2. Filing an Informal Complaint with the PUC.

You must first contact your water or sewer company if you have questions or concerns. If you do not agree with the company's response to your concerns, you may file an informal complaint with the PUC within 10 days of notification or mailing of a utility company report (in order to maintain service while you appeal). You may still file an informal complaint after 10 days, but if you have a pending shutoff notice, you may be waiving your right to keep your service on while your dispute is pending. Write or call the PUC's Bureau of Consumer Services for assistance (see last page of this guide for contact information). To look into your complaint, the Bureau will need the following information regarding the account your complaint involves:

- Name;
- Telephone number;
- Service address;
- Account number;
- Name of the water or sewer company;
- Description of the problem and what action the company took;
- Request for action you are seeking.

The Bureau of Consumer Services' staff will review the matter and investigate further. They will make a decision based upon the facts both you and the company present.

The Bureau will notify you of its decision and at the same time explain the steps involved in appealing this decision to the PUC if you disagree with it. You may request a written report of the Bureau's decision.

### Step 3. Filing a Formal Complaint.

If you disagree with the Bureau of Consumer Services' staff decision, you have the option to appeal that decision within 20 days from the date you received notification or mailing of the Bureau's informal complaint report (in order to maintain utility service while you appeal). You may still file a formal complaint after these 20 days, but if you have a pending shutoff notice, you may be waiving your right to keep service on while your dispute is pending. The company also has the right to appeal the Bureau's decision to the PUC.

After formal complaint forms are filed with the PUC, a hearing may be scheduled, at which time a PUC judge will listen to both sides of the dispute and issue a decision. Although it is not necessary, you may wish to use a lawyer.

### Protection from Termination During the Dispute Process

The company may not shut off your service for non-payment of the bill in question during the period that you are waiting for a response to your inquiry or dispute. **However, you are still obligated to pay all water or sewer bills that you do not dispute including any bills you are receiving while the complaint is ongoing.** The company has the right to terminate your service for non-payment of undisputed bills.

## CUSTOMER ASSISTANCE PROGRAMS (CAPs)

### Programs that Help Low-Income Customers

Customer Assistance Programs (CAPs) provide help to low-income, payment troubled water or sewer company customers. Generally, customers enrolled in a CAP agree to make monthly payments to the company based on household size and gross income. Customers make regular monthly payments, which may be for an amount that is less than the current bill for water or sewer service. Besides regular monthly payments, customers need to follow certain rules to remain eligible for continued participation in the CAP. In exchange for regular payments, some companies may also remove the amount consumers already owe. Companies and/or human-service agencies work with customers to determine what customers can pay. Call your local water or sewer company for more information about CAP, the eligibility requirements, and how you can apply.

## CUSTOMER ASSISTANCE PROGRAMS (CAPs)

(continued)

CAP customers are often subject to special rules which differ from the rights and responsibilities available to other water or sewer company customers. If you are a CAP applicant or participant, you should request a copy from your company of the rights and responsibilities which apply to you. One example of such a rule difference is that the PUC may not provide or order a company to provide a payment agreement based upon unpaid CAP rates. However, the PUC may still investigate or receive complaints from CAP customers about issues other than establishing payment agreements.

## WATER OR SEWER SERVICE SHUTOFFS / TERMINATION

**Important:** If you have difficulty paying your bills or if you are not making payments for any other reason, tell your water or sewer company as soon as possible. By notifying the company immediately, you may avoid shutoff of your service. The following information concerns both your rights and responsibilities regarding service shutoff.

### Payment Agreements

A payment agreement is an arrangement you reach with the company to make reasonable payments over a period of time for the amount of money that you owe. The size of your payments will vary, depending on such things as:

- Income (you will be required to provide the company with your household income and number of people living in your household).
- Payment history.
- Length of time your payment has been overdue.
- Size of the unpaid balance.

If you cannot make a reasonable payment agreement with the company, you may contact the PUC for assistance within 10 days after you receive an answer from the company regarding a payment agreement. You may still file an informal complaint after 10 days, but if you have a pending shutoff notice, you may be waiving your right to keep service on while your dispute is pending. (This is Step 2 of the Dispute Process.)

## WATER OR SEWER SERVICE SHUTOFFS / TERMINATION (continued)

### Length of Payment Agreements

The PUC must follow specific lengths of time as outlined in the Public Utility Code when establishing payment agreements for residential customers. The payment agreements can run from as long as five years for low-income households to as short as six months for other households depending on their level of income.

### When Water or Sewer Service Can Be Shut Off

The water or sewer company can shut off your utility service Monday through Thursday for any of the reasons listed below:

- Non-payment of an undisputed bill for service, non-payment of a payment agreement, non-payment of a security deposit, or a "bad" check/dishonored credit card used to avoid a shutoff.
- Tampering with company meters or other company property, or stealing service.
- False statement or fraud in obtaining your water or sewer service.
- Refusal to allow employees to read your meter or to check company equipment.
- Violations of rules, approved by the PUC, which may cause harm to individuals or damage to company equipment.

### Tenants – When Service is in Your Landlord's Name

If your landlord either fails to pay water or sewer bills for your residence or instructs the utility company to shut off your service, you must be notified by the company at least 30 days in advance. Depending upon circumstances, shutoff notices may be mailed, personally delivered, posted on individual dwelling units and common areas, or a combination of these methods. The company will then explain your rights and duties related to continuing service and will mail you a written summary of this information if you ask for it.

### When Water or Sewer Service Cannot Be Shut Off

The company **cannot** shut off your service for non-payment of bills:

- More than four years old.
- For either merchandise or service work.
- In someone else's name, unless you were an occupant or your name was on the lease, mortgage or deed of the affected property.

For low-income customers, service may not be shut off between December 1 and March 31 (see the winter termination section that follows).

### Medical Certifications

If you are behind on your bills, you may be able to avoid shutoff or obtain restoration of service if there is a medical emergency in your household. A medical emergency exists if you or a member of your household are seriously ill **or** has been diagnosed with a medical condition which requires the continuation of service to treat the medical condition.

To use a medical certificate to avoid termination or restore service, you must be a customer of the water or sewer company. You are a customer if you have an active account or a final bill that is not past due. Once your final bill becomes past due, you are no longer a customer and your medical certificate may not be enough to restore service (a payment may be required with the medical certificate).

For a medical certificate to be accepted by the utility, your licensed physician, nurse practitioner or physician's assistant must call or write the company with the nature and anticipated length of the illness or medical condition and the specific reason why the service needs to be kept on. (See your company's Shutoff Notice for more information in regard to this procedure because your doctor's statement to the company must contain specific information.)

The company may require the licensed physician, nurse practitioner or physician's assistant to follow up a phone call with a written statement verifying the medical emergency. The shutoff can then be postponed for a maximum of 30 days and renewed for additional 30 day periods.

If your service has already been shut off, you may provide a medical certification to the company to have service restored within 24 hours. A payment may be required with the medical certificate if you are an applicant seeking restoration.

A single medical certification will result in postponement or restoration of service for a maximum of 30 days. However, you still have the responsibility to pay your current bills or your budget billing amount during the postponement. If you do not pay your current bills, the utility is not required to accept more than two medical certification renewals.

### Winter Terminations

Your water or sewer service that is not used in the heating of a household can be terminated during the winter months (December 1 through March 31) without the PUC's approval if you fail to pay your bill. All income levels are subject to winter termination unless the water is used in heating. Heat-related water service cannot be terminated without PUC approval.

### The Shutoff (Termination) Process

Shutoff or termination of service is a very serious matter. Paying current water or sewer bills or keeping up with payment agreements helps you to avoid a shutoff. It is important to contact your company as soon as you receive a notice about an overdue bill or for failure to provide access to the company's meter or equipment. Notices may include bill reminders, letters, phone calls and PUC-approved shutoff forms. Your company may have programs that can help low-income households pay their water or sewer bills. The company will try to make a payment agreement with you so that you can pay what you owe and avoid the shutoff. The company must follow these steps before shutting off your service:

- At least 10 days prior to the scheduled shutoff date, your company must notify you in writing. This "10-day shutoff notice" is effective for a period of up to **60 days**.

The 10-day notice will inform you about what action you can take to avoid having your service shut off. (Please note: In certain cases, the company does not have to give you a 10-day notice before it shuts off your service. It may begin the shutoff process with a 3-day notice. The 3-day notice may be by telephone.)

- At least three days before your service is shut off, your water or sewer company must attempt to contact you in person or by telephone. **The company may proceed with the shutoff even if the contact was not successful.**
- At the time of shutoff during the winter (December 1 through March 31), your company must attempt to contact a responsible adult at your residence. If no adult is home, the company must leave a notice at your residence stating that it will return in 48 hours to shut off your service.

- Between April 1 and November 30, your company will not leave a 48-hour notice. During those months, the company may proceed with the shutoff on or after the scheduled day on the shutoff notice if you have not paid your past due bills or made arrangements with your utility to pay your bill.
- If your service is shut off, your utility must provide you with a notice indicating why your service was shut off and what steps you can take to get your service restored.

### The Restoration Process – Getting Your Service Back On

Between April 1 and November 30, the company must restore your service within three days if you pay the amount you owe in full, make a payment agreement if eligible, and meet any other conditions required by the water or sewer company. If your service was shut off during the winter (December 1 through March 31), your company will reconnect service within 24 hours if you pay the bill, make a payment agreement if eligible and meet any other conditions.

The company may charge a fee to restore your water or sewer service. At the same time, it may also require you to pay a security deposit.

**Remember, to avoid having your service shut off, you have the responsibility to contact the company immediately with any billing dispute or payment problem. Call 800•750•5561.**

Consumers have the right to personal privacy. The water or sewer companies have the responsibility of safeguarding their customers' personal information and prevention against unauthorized use of this information.

### ADDITIONAL INFORMATION CONCERNING YOUR WATER SERVICE

This guide was prepared as a summary of the rights and responsibilities you have as a water or sewer customer based on the PUC's regulations (**Standards and Billing Practices for Residential Utility Services**). This guide has attempted to highlight and answer some of the questions you may have about your water or sewer service.

If you still have questions about your water or sewer service, call your company immediately. It can provide you with additional information. You can also visit the water or sewer company's website.

The PUC's Bureau of Consumer Services can provide further assistance in water or sewer service matters. However, you must attempt to resolve a dispute with your water or sewer company **before** you bring your complaint to the Bureau of Consumer Services. You can reach the PUC's Bureau of Consumer Services by calling 1-800-692-7380. For people with speech or hearing loss, dial 7-1-1 (Telecommunications Relay Service). You can reach the PUC by mail/online at:

#### PA Public Utility Commission

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