

PWP Policy on Discontinuation of Residential Water Service for Non-Payment

Pasadena Water and Power (“PWP”), is a not-for-profit municipal utility, owned and operated by the City of Pasadena. Effective February 1, 2020, this policy on Discontinuation of Residential Water Service for Non-Payment is set forth by PWP in accordance with the City of Pasadena Municipal Code, General Fee Schedule, and Pursuant to the Water Shut-Off Protection Act, Part 12, Chapter 6 of Division 104 of California Health and Safety Code.

SECTION 1: BILLING

A. When Bills are Due

- 1) All utility service(s) bills issued by Pasadena Water and Power (“PWP”) are payable upon presentation of the bill. Bills not paid within thirty (30) days of the bill date shall be considered delinquent. After a bill is past due, PWP may discontinue water and/or electric service and/or water service in accordance with the City of Pasadena Municipal Code and California Law.

B. How to Make a Payment

- 1) Payments can be made by mail, telephone, online or in person. The most current payment options available to customers may be viewed at PWPweb.com or may be requested by phone from PWP’s Customer Service Division at (626) 744-4005.

C. Delinquency Penalty

- 1) All past due balances are subject to a delinquency penalty thirty one (31) days from the original bill date. A delinquency penalty pursuant to Pasadena Municipal Code and General Fee Schedule will be charged and collected in addition to other amounts due from the customer. A residential Customer who declares the household’s annual income is less than two hundred percent (200%) of the federal poverty level, as noted in Section 2(A)(5)(b) of this policy, may request that PWP waive the delinquency penalty no more than once in a 12 month period.

SECTION 2: DISCONTINUATION OF RESIDENTIAL WATER SERVICE

A. Delinquency Period and Notification

- 1) Pursuant to the Water Shutoff Protection Act, Part 12, Chapter 6 of Division 104 of the California Health and Safety Code, PWP will not discontinue residential water service for non-payment until a payment by the Customer has been delinquent for at least 60 days.
- 2) PWP will contact the Customer via written notice, no less than fifteen 15 days before discontinuation of residential water service.

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- 3) For Residential Tenants/Occupants in an Individually Metered Residence
 - a. PWP will make a reasonable, good faith effort to inform the occupants, by means of written notice, when the water service account is in arrears and subject to disconnection at least fifteen (15) days before water service is shut off. The written notice will advise the tenant/occupant that they have the right to become PWP customers without being required to pay the amount due on the delinquent account, as long as they are willing to assume financial responsibility for subsequent charges for water service at that address. The tenant/occupant must provide verification of tenancy in the form of a rental agreement or proof of rent payments as a condition of being exempt from responsibility for the delinquent amount on the existing account at that address. Upon completing assignment of the service at the subject address, the tenant/occupant must agree to all customary responsibilities, including but not limited to maintenance of the water service and repair and payment of any leak related charges. A deposit may be necessary to establish the account as defined by PWP's existing credit policy.

- 4) For Residential Tenants/Occupants in a Multi-Unit Complex Served through a Master Meter
 - a. If multiple residential dwellings are served by one master meter, PWP will make every good faith effort to inform the residential occupants, by means of a written notice at least fifteen (15) days before water service is shut off. The notice will be posted on the door of each residential unit. If it is not reasonable or practical to post the notice on the door of each unit, PWP will post the notice in an accessible common area. The notice will include information related to the residential occupants and their rights to become the customer of record.

- 5) PWP will not discontinue residential water service for nonpayment if **ALL** of the following conditions are met:
 - a. The customer, or a tenant of the customer, submits to the urban and community water system the certification of a primary care provider, as that term is defined in subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.
 - b. Any member of the Customer's household is a current recipient of CalWORKs, CalFresh, State or local general assistance programs, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special

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Supplemental Nutrition Program for Women, Infants, and Children, or the Customer declares that the household's annual income is less than two hundred percent (200%) of the federal poverty level. To declare that the household annual income is less than two hundred percent (200%) of the federal poverty level, the customer must provide proof of participation in at least one of the above-listed programs; or must provide proof of income for all persons living in the household and meet PWP household low-income requirements.

- c. The customer is willing to enter into an Alternate Payment Agreement as defined herein.
- 6) PWP may discontinue residential water service no sooner than five (5) business days after posting a final notice of intent to disconnect service at the property being served under either of the following circumstances:
- a. The Customer fails to comply with payment arrangement of delinquent charges for 60 days or more.
 - b. While enrolled in the payment arrangement for delinquent charges, the Customer does not pay his or her current residential water service charges for 60 days or more.

SECTION 3: PAYMENT DEFERRALS AND ARRANGEMENTS

A. Payment Deferrals

- 1) All PWP customers are allowed two (2) payment extensions in a 12-month period. Payment deferrals/extensions shall not exceed 14 days per request. If the customer has used the 2 payment extensions in a 12-month period and cannot pay or keep current with their payments, payment terms including an alternate payment agreement may be available.

B. Alternative Payment Agreements for Residential Water Customers with Hardship Conditions

- 1) In addition to payment deferrals, eligible customers described below may request a 12-month amortization plan in which the balance is paid over a 12-month period through monthly payment installments. The eligible customer must comply with the amortization plan and remain current as charges accrue in each subsequent billing period. The customer may not request further amortization of any subsequent unpaid charges while paying delinquent charges pursuant to an amortization plan. Failure to comply with the terms of the amortization plan will result in disconnection of service. The amortization plan is available to residential water customers who meet the requirements and are able to provide documented and valid proof for ALL conditions listed in Section 2A(5) of this policy.

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SECTION 4: HIGH BILL INQUIRIES AND FORMAL APPEAL PROCESS

A. High Bill Inquiries

- 1) Customers requesting an inquiry into a high utility bill must contact the PWP Customer Service Division by telephone, in writing, or in person within fifteen (15) days from the bill date. Written requests must be *postmarked* no later than 15 days from the bill date.
 - a. Telephone: (626) 744-4005, Monday to Friday, 7:30 a.m. - 5:30 p.m., excluding holidays.
 - b. Mailing Address: P.O. Box 7121, Pasadena CA 91109-7220.
 - c. In-Person: Municipal Services Payment Center/City Hall, 100 N. Garfield Ave., Room N106, Pasadena, CA 91109, Monday-Friday 7:30 a.m. - 5:15 p.m.
- 2) A high bill inquiry is not part of the Formal Appeal Process described in Section 4B below. PWP may require a good faith payment of an amount equal to an average bill pending the outcome of a high bill inquiry. Failure to make the good faith payment shall constitute abandonment of the inquiry request. Subsequent utility bills, which are not disputed, must be paid to PWP by the due date to avoid discontinuance of service.
- 3) Inaccuracies of meter readings or bills reflecting clerical or meter errors shall be adjusted to a correct basis as determined by PWP's investigation. PWP may bill or credit the Customer, at its option, for the amount overbilled or undercharged based on corrected meter readings or clerical data for the period the meter was in use and determined to be incorrect, but not to exceed a period of three years.
- 4) If the meter is found to be non-registering, PWP may bill the Customer according to an estimate of consumption while the meter was not registering, but not to exceed a period of three years. The estimate will be based on the Customer's prior use during the same season of the previous year if conditions were unchanged during the year, or on a reasonable comparison of consumption of other similar Customers during the same period.
- 5) In cases where meter readings, dates, or other required factors cannot be determined, PWP shall establish such factors by tests, analyses, and investigations to determine the proper basis for making an adjustment, if any. Adjustments to bills may be authorized by the General Manager.

B. Formal Appeal Process

- 1) Customers who meet the requirements listed in Section 2(A)(5) of this policy may request a formal appeal of their bill payment and must contact the PWP Customer Service Division by telephone, in writing, or in person and submit a PWP Billing Appeal Form within fifteen (15) calendar days from the bill date or after the high inquiry investigation has closed (if such an inquiry

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was requested). PWP contact information is listed in Section 4A above. The PWP Billing Appeal Form is also available on PWPweb.com.

- 2) PWP will not discontinue water service for nonpayment of a disputed bill pending the outcome of a customer's timely submitted Formal Appeal. A customer may appeal their bill no more than once in a 12-month period.
- 3) Any customer appealing their water bill is still responsible for on-time payment of their electric, refuse and sewer charges and any applicable fees and taxes. PWP may discontinue electric service if payment is not received.
 - a. If the Appeal is not satisfactorily resolved with the PWP Customer Service Division, the customer may request a review by the General Manager by submitting a written statement within 15 calendar days of the Customer Service Division's determination to: PWP General Manager, Water Bill Appeal Resolution, 150 S. Los Robles Ave, Suite 200, Pasadena, CA 91105.
 - b. Upon timely receipt of the written statement, the General Manager will determine if the investigation was thorough and complete in addressing the aspects of the billing dispute or appeal. The General Manager will make his or her determination and communicate the decision to the customer in writing.
 - c.
 - d. The customers' obligation to pay undisputed and subsequent utility charges continues pending resolution of the appeal. The PWP service under appeal will continue during the appeal process provided that:
 - 1) No evidence of fraud, tampering or diversion is discovered
 - 2) A legitimate and valid appeal exists in which the facts asserted support continued service
 - 3) If the customer fails to accept or comply with the final appeals decision, PWP may proceed with immediate collection efforts without further notice including, but not limited to, disconnection of the Utility Service.

SECTION 4: RECONNECTION FEES

- 1) Connection or disconnection of utility services which result in PWP incurring costs in excess of typical operating costs may be subject to additional charges or fees in accordance with the City of Pasadena's General Fee Schedule. For residential customers that qualify as defined in Section 2(A)(5) of this policy, PWP may charge no more than the fees specified in the City of Pasadena's General Fee schedule for reconnection of water service.