

Presented and Adopted: October 4, 2018

SUBJECT: Approval to Appoint David L. Gadis as the Chairperson of the Board of Directors and Member Representative for Blue Drop, LLC

**18-63
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water Sewer Authority ("DC Water") at its Board meeting held on the October 4, 2018, upon consideration of a joint-use matter, decided by a vote of ten (10) in favor and none (0) opposed, to take the following actions to appoint the Chairperson of the Board of Directors and Member Representative for Blue Drop, LLC ("Blue Drop").

WHEREAS, on January 4, 2018, the Board through Resolution #18-00, appointed the then Interim General Manager and Chief Executive Officer of DC Water, Henderson J. Brown as Chairperson of the Board of Directors for Blue Drop and Member Representative; and

WHEREAS, Henderson J. Brown, IV, resigned from the positions of Chairperson of the Board of Directors for Blue Drop (the "Blue Drop Board") and as Member Representative, effective October 4, 2018; and

WHEREAS, the Board, as the Member of Blue Drop, desires to appoint the General Manager and Chief Executive Officer of DC Water, David L. Gadis, as Chairperson of the Blue Drop Board of Directors and as Member Representative, in accordance with Sections 5.3 and 8.1 of Blue Drop's Operating Agreement (effective November 3, 2016) and Paragraph 16 of Blue Drop's By-laws (effective October 27, 2017).

NOW THEREFORE BE IT RESOLVED THAT:

1. David L. Gadis, as an individual, is hereby appointed to serve as the Chairperson of the Blue Drop Board. Such appointment shall commence on the effective of this Resolution and shall continue so long as the Chairperson is the General Manager and Chief Executive Officer of DC Water, unless such appointment is terminated sooner by this Board, or upon the Chairperson's resignation, death, or intervening incapacity.
2. As Chairperson, Mr. Gadis shall have the requisite power and authority to exercise all the Chairperson's duties in accordance with Blue Drop's Operating Agreement, By-Laws, rules, and procedures.

3. David L. Gadis, as an individual, is also appointed as DC Water's Member Representative for Blue Drop. Such appointment shall commence on the effective of this Resolution and shall continue so long as the Member Representative is the General Manager and Chief Executive Officer of DC Water, unless such appointment may be terminated sooner by this Board, or upon the Member Representative's resignation, death, or intervening incapacity.
4. As the Member Representative, Mr. Gadis shall report to the Board on the progress and operations of Blue Drop as he determines necessary, but not less than annually.

This Resolution is effective immediately.


Secretary to the Board of Directors

Presented and Approved: October 4, 2018
**SUBJECT: Approval for Additional Funding to Contract No. 15-PR-
WWT-53A, Carter & Carter Enterprises Inc.**

#18-64
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
D.C. WATER AND SEWER AUTHORITY

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on October 4, 2018 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve additional funding to Contract No. 15-PR-WWT-53A, Carter & Carter Enterprises Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute the additional funding to Contract No. 15-PR-WWT-53A, Carter & Carter Enterprises Inc. The purpose of the additional funding is to continue the supply and delivery of Ferric chloride to DC Water's Blue Plains Advanced Wastewater Treatment Facility. The additional funding amount is \$1,100,000.

This Resolution is effective immediately.


Secretary to the Board of Directors

Presented and Approved: October 4, 2018

SUBJECT: Approval to Execute Option Year Two of Contract No. 16-PR-DFS-71, BFPE International Inc.

**#18-65
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
D.C. WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on October 4, 2018 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve Option Year Two of Contract No. 16-PR-DFS-71, BFPE International Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Option Year Two of Contract No. 16-PR-DFS-71, BFPE International Inc. The purpose of the option is to continue providing labor, materials, equipment and tools to maintain and service the Fire Protection Service for the Authority., The option amount is \$688,384.

This Resolution is effective immediately.


Secretary to the Board of Directors

Presented and Approved: October 4, 2018
SUBJECT: Approval to Execute Option Year Three of Contract No, 15-PR-DWT-21, Kuehne Chemical Co. Inc.

#18-66
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
D.C. WATER AND SEWER AUTHORITY

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority ("the Authority") at its meeting on October 4, 2018 upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve Option Year Three of Contract No. 15-PR-DWT-21, Kuehne Chemical Co., Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Option Year Three of Contract No. 15-PR-DWT-21, Kuehne Chemical Co., Inc. The purpose of the option is to continue the supply and delivery of Sodium Hypochlorite to the Blue Plains Advanced Wastewater Treatment Plan. The option amount is \$3,600,000.

This Resolution is effective immediately.


Secretary to the Board of Directors

Presented and Adopted: October 4, 2018

SUBJECT: Approval of “The Blueprint: A DC Water Strategic Plan”

**#18-67
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors (“Board”) of the District of Columbia Water and Sewer Authority (“the Authority” or “DC Water”), at its meeting on October 4, 2018, decided by a vote of ten (10) in favor and none (0) opposed to take the following action.

WHEREAS, the services provided by DC Water are essential and central to assuring a sustained vitality for the Washington, D.C. metro area; and

WHEREAS, the operations, management, finance, and governance of DC Water, like many water-sector utilities, are directly impacted by global, national, and local trends and challenges; and

WHEREAS, some of the more significant trends and challenges include: controlling rates and affordability while also funding a capital program that fully complies with consent decree requirements and advances a comprehensive asset management strategy, increasing customer expectations, more stringent regulatory requirements, technology advances, aging infrastructure, resiliency, and workforce issues; and

WHEREAS, this convergence of issues has been characterized by increases in operational and capital costs, rising rates and customer affordability issues, all of which, if not properly addressed, could result in an unsustainable financial model, decreasing customer confidence and disruptions to service continuity; and

WHEREAS, DC Water staff with guidance from the Board of Directors developed an organizational vision, operational framework comprised of strategic programs and a shared challenge in furtherance of the DC Water’s strategic goals and objectives; and

WHEREAS, annually, the Board evaluates the Blue Horizon 2020 Strategic Plan to ensure the Plan continues to establish strategic goals aligned with DC Water’s mission

and is responsive to industry trends, regulatory mandates, operational and ratepayer priorities; and

WHEREAS, at a meeting of the Strategic Planning Committee of the Board, at its regularly scheduled meeting on September 25, 2018, recommended the adoption of The Blueprint: A DC Water Strategic Plan;

WHEREAS, the Committee further recommended that The Blueprint: A DC Water Strategic Plan be monitored by a newly structured Strategic Planning Committee of the Board of Directors that will become a Committee of the Whole meeting quarterly during 2019 and at least biannually in 2020; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board hereby approves The Blueprint: A DC Water Strategic Plan for the District of Columbia Water and Sewer Authority Board of Directors as set forth in the attachments to this resolution.
2. The Board directs the General Manager to develop and implement strategic programs that will ensure the accomplishment of The Blueprint and to report progress with such efforts to the Board of Directors.
3. The Board directs the General Manager to develop mechanisms for reporting on the progress and achievement of the Board's strategic programs.
4. This resolution is effective immediately.



Secretary to the Board of Directors

Presented and Adopted: October 4, 2018

SUBJECT: Approval to Publish Notice of Proposed Rulemaking to Expand the Customer Assistance Program (CAP) to Establish Rules for DC Water's CAP2 Program and Rules for Implementing the District's CAP3 and CRIAC Nonprofit Relief Programs

**#18-68
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The Board of Directors ("Board") of the District of Columbia Water and Sewer Authority, ("the Authority"), at the Board meeting held on October 4, 2018 upon consideration of a non-joint use matter decided by a vote of five (5) in favor and none (0) opposed to Publish Notice of Proposed Rulemaking to Expand the Customer Assistance Program (CAP) to Establish Rules for DC Water's CAP2 Program and Rules for Implementing the District's CAP3 and CRIAC Nonprofit Relief Programs.

WHEREAS, on July 5, 2018, the Board accepted the recommendations of the DC Retail Water and Sewer Rates Committee and the Finance and Budget Committee, to adopt Resolution 18-57, which directed the General Manager to amend the Fiscal Year 2018-2027 Ten Year Financial Plan to reflect the one time transfer of \$6.0 million from the Rate Stabilization Fund to the Fiscal Year 2019 Budget; and

WHEREAS, in Resolution 18-57, the Board expressly determined that it was "important to the financial management of the Authority and performance of its statutory mission" that the transferred funds be used to "assist low income residential customers;" and

WHEREAS, Resolution 18-57 directed the General Manager to design adjustments to existing CAP regulations to ensure that the allocation of funds required in Resolution 18-57 "not impede the Authority's ability to accomplish its statutory mission or impair other programs designated as priorities by the Board," yet still provide expanded benefits "up to three CCFs of water and sewer services and percent discounts on the impervious area charge" to low income customers not eligible for CAP "using metrics, including but not limited to household size, median income or other factors deemed reasonable by the General Manager" with household incomes up to eighty-percent of the Area Median Income ("AMI"); and

WHEREAS, the General Manager has proposed changes to CAP adding a new program to be known as CAP2, that will offer benefits of three Hundred Cubic Feet (3 CCF) credit on the water and sewer service charges and fifty percent (50%) credit on the Clean Rivers

Impervious Area Charges (CRIAC) to low income customers who do not qualify for CAP, but whose household incomes are equal to or greater than 60% of State Median Income ("SMI"), but below eighty percent (80%) of the Area Median Income ("AMI"), considering size of household and not capped by the United States median low-income limit; and

WHEREAS, effective September 5, 2018, the District of Columbia Council (Council) set aside \$7 Million in the *Fiscal Year 2019 Budget Support Act of 2018* (D.C. Act 22-0442, projected enactment date of October 27, 2018) and directed the Mayor to establish a financial assistance program to assist District residential customers and Nonprofit organizations located in the District with payment of CRIAC; and

WHEREAS, the Council required that "at least \$4 Million" of the funds set aside be available to Nonprofit organization applicants that: a) demonstrate significant hardship in paying the CRIAC; b) permit DOEE to inspect their property; and c) commitment to evaluate on site stormwater management projects or alternative stormwater mitigation measures or activities; and

WHEREAS, the Council authorized the Mayor to establish a financial assistance program to assist residential customers with incomes "not exceeding 100% of the area median income" with payment of CRIAC; and

WHEREAS, the District's low income residential customer assistance program is currently known as CAP3, will be funded exclusively with District funds, and will provide benefits to residential customers whose household incomes are greater than 80% of the Area Median Income, but less than 100% of the Area Medium Income; and

WHEREAS, CAP3 eligible applicants will receive credit of 1 Ccf on the water and sewer service charges and 50% off of the CRIAC; and

WHEREAS, the District's nonprofit assistance program is currently known as Clean Rivers Impervious Surface Area Charge (CRIAC) Nonprofit Relief Program, will be funded exclusively with District funds, and will provide benefits to nonprofit customers, certain tax exempt religious and charitable institutions and cemeteries; and

WHEREAS, eligible nonprofit organizations will receive credits of 90% on their CRIAC; and

WHEREAS, on September 25, 2018, the DC Retail Water and Sewer Rates Committee reviewed the CAP2 program proposed by the General Manager, and has recommend that proposed regulations be published which, if adopted, will implement the CAP2 program and will authorize the procedures the Authority will utilize to credit DOEE approved customer accounts with the funds received from the District for the CAP3 and CRIAC Nonprofit Relief Programs; and

WHEREAS, On September 25, 2018, the Chief Financial Officer reported to the DC Retail Water and Sewer Rates Committee that the District is considering providing additional

funds to DC Water to supplement the Boards authorized funds for DC Water's CAP2 program if less than \$7 Million is spent on the CAP3 and CRIAC Nonprofit Relief Programs; and

WHEREAS, the Board has determined that the CAP2 program described in the proposed regulations describe benefits which, subject to review of the administrative record to be developed, can mitigate the impact of increases in retail water and sewer rates, CRIAC and other charges on low income residential customers that do not qualify for CAP; and

WHEREAS, the proposed regulations define the eligibility requirements for benefits provided under the CAP2 program and designate the Department of Energy and the Environment (DOEE) as the agency that will determine eligibility of applications for CAP2 benefits; and

WHEREAS, CAP2 program benefits described in the proposed regulations include an exemption from water service and sewer service charges for the first three Hundred Cubic Feet (3 Ccf) per month of water used and a credit of fifty percent (50%) on monthly billed CRIAC; and

WHEREAS, the CAP2 program expenditures will be capped at \$6 million that was authorized by the Board of which \$5.5 million will be allocated for CAP2 benefits to customers and \$0.5 million for program administrative costs; and

WHEREAS, CAP3 program benefits funded by the District described in the regulations proposed by DOEE include an exemption from water service and sewer service charges for the first One Hundred Cubic Feet (1 Ccf) per month of water used and a credit of fifty percent (50%) on monthly billed CRIAC; and

WHEREAS, the proposed regulations allow the Authority to suspend processing of CAP2 benefits if budgeted funds are not sufficient to provide benefits; and

WHEREAS, the proposed regulations allow the Authority to apply CAP3 credits to customer accounts provided funds are delivered to the Authority by the District; and

WHEREAS, the proposed regulations allow the Authority to stop applying credits to CAP3 eligible customers' accounts upon receipt of notice from DOEE that the customer is no longer eligible for benefits and upon receipt of notice from DOEE that funds for CAP3 are no longer available; and

WHEREAS, the proposed regulations allow the Authority to apply CRIAC credits to Nonprofit organization accounts determined eligible by DOEE and to stop applying credits upon receipt of notice from DOEE that the customer is no longer eligible for benefits and upon receipt of notice from DOEE that funds for the program are no longer available; and

WHEREAS, the Board intends that eligibility for benefits provided under the CAP2 program will be provided only for the period October 1, 2018 through September 30, 2019.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The General Manager is authorized to amend the CAP regulations to expand DC Water's Customer Assistance Program benefits for CAP2 (eligible households and tenants) of 3 Ccf off of their water and sewer service charges and 50% off of their monthly billed CRIAC charges and to adopt regulations to implement the District Department of Energy and Environment (DOEE) CAP3 and CRIAC Non-Profit Relief Programs, effective January 1, 2019 as summarized below and as stated in Attachment A:

Customer Assistance Program Expansion Summary

- (1) Adopt regulations to expand DC Water's Customer Assistance Program (CAP):

- a. Proposal to expand DC Water's CAP benefits to eligible single-family or individually-metered Residential Customers:

CAP2 (Residential Customers)

- Effective January 1, 2019, Eligible single-family or individually metered Residential customers shall receive a discount of 3 Ccf on their billed water and sewer service charges and 50% on their billed Clean Rivers Impervious Area Charge (CRIAC).
- CAP2 program expenditures will not exceed \$6 million authorized by Board; \$5.5 million in benefits to customers and \$0.5 million for administrative costs.
- DOEE will determine the CAP2 applicant's financial eligibility based on household-income limits equal to or above 60% of the state medium income and below 80% of the area medium income, not capped by the U.S. median low-income limit.
- CAP2 benefits will be provided retroactive for Fiscal Year 2019 from October 1, 2018 and terminate on September 30, 2019.
- If DC Water determines that budgeted funds are not sufficient, DC Water will suspend accepting new CAP2 applicants, or suspend providing CAP2 benefits.

- (2) Adopt regulations to implement the District Department of Energy and Environment (DOEE) CAP3 and CRIAC Non-Profit Relief Programs:

- a. Proposal to establish procedures to provide credits to certain single-family or individually-metered Residential Customers authorized by DOEE to receive the DOEE's Customer Assistance Program Expansion (CAP3) credits:

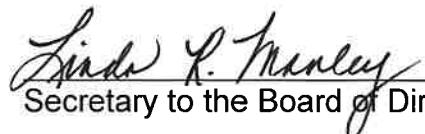
CAP3 (Residential Customers)

- Effective January 1, 2019, eligible single-family or individually-metered Residential customers shall receive CAP3 benefits as defined by DOEE, subject to the availability of District funds.
 - CAP3 credits will be applied to eligible Residential customers' accounts provided DOEE notifies DC Water of the customers' eligibility, and DC Water receives funds from DOEE to apply the credits.
 - CAP3 credits will be provided from the date DOEE approves the CAP3 applicant's financial eligibility for one calendar year, subject to the availability of District funds.
- b. Proposal to establish procedures to provide credits to certain nonprofit customers authorized by DOEE to receive the District's CRIAC Nonprofit Relief Program credits:

CRIAC Nonprofit Relief Program (Non-Residential Customers)

- Effective January 1, 2019, Eligible non-residential customers shall receive CRIAC Nonprofit Relief Program benefits as defined by DOEE, subject to the availability of District funds.
 - CRIAC Nonprofit Relief Program benefits will be applied to non-residential customers' accounts provided DOEE notifies DC Water of the customers' eligibility, and DC Water receives funds from DOEE to apply the credits.
 - CRIAC Nonprofit Relief Program benefit period will be the entire Fiscal Year 2019, beginning October 1st and ending September 30th, subject to the availability of funds.
 - CRIAC Nonprofit Relief Program customers are required to reapply for the benefits at least 30-days, and no more than 60-days before the end of the benefit period.
2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required, to initiate the public comment process, publish the Notice of Proposed Rulemaking as provided in Attachment A and Notice of Public Hearing in the manner provided by the District of Columbia's Administrative Procedure Act and 21 DCMR Chapter 40.

This Resolution is effective immediately.


Secretary to the Board of Directors

Attachment A

DC Water's CAP Expansion Proposed Rulemaking

Chapter 41, RETAIL WATER AND SEWER RATES, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Section 4102, CUSTOMER ASSISTANCE PROGRAM, is amended to read as follows:

4102 CUSTOMER ASSISTANCE PROGRAMS

4102.1 CUSTOMER ASSISTANCE PROGRAM

- (a) Participation in the Customer Assistance Program (CAP) shall be limited to a single-family or individually-metered Residential Customer that meets the following eligibility requirements:
 - (1) The applicant is responsible for paying for water and sewer services and/or the Clean Rivers Impervious Surface Area Charge (CRIAC); and
 - (2) The Department of Energy & Environment (DOEE) has determined that the CAP applicant's annual household income meets the household income-eligibility requirements for the District's Low Income Home Energy Assistance Program (LIHEAP), below sixty percent (60%) of the State Median Income (SMI) for the District of Columbia.
- (b) DOEE-approved CAP customer shall receive the following benefits:
 - (1) Exemption from water service charges, sewer service charges, Payment-in-Lieu of Taxes (PILOT) fees and Right-of-Way (ROW) fees for the first Four Hundred Cubic Feet (4 Ccf) per month of water used. If the customer uses less than Four Hundred Cubic Feet (4 Ccf) of water in any month, the exemption will apply based on the amount of that month's billed water usage;
 - (2) Credit of one hundred percent (100%) off of the monthly billed Water System Replacement Fee; and
 - (3) Credit of fifty percent (50%) off of the monthly billed CRIAC.
- (c) Upon receipt of notice from DOEE that the CAP applicant meets the financial eligibility requirements, DC Water shall provide the CAP discounts to the CAP customer's account from the date that DOEE accepts

a completed CAP application to the end of the fiscal year in which the application was submitted.

- (d) To continue receiving CAP benefits without interruptions, the CAP customer must submit a renewal CAP application to DOEE in accordance with the Utility Discount Program renewal deadline. A CAP customer that submits their renewal CAP application after this period, and is subsequently approved by DOEE, will receive CAP benefits as of the date of the application.

4102.2 CUSTOMER ASSISTANCE PROGRAM II (CAP2)

- (a) Participation in the CAP2 Program shall be limited to a single-family or individually-metered Residential Customer that meets the following eligibility requirements:
 - (1) The applicant maintains an active DC Water account and is responsible for paying for water and sewer services and/or the CRIAC; and
 - (2) DOEE has determined that the CAP2 applicant's annual household income is equal to or above the household income-eligibility limits for the District's LIHEAP, sixty percent (60%) of the SMI for the District of Columbia and below eighty percent (80%) of the Area Median Income (AMI) for the District of Columbia, not capped by the United States median low-income limit.
- (b) DOEE-approved CAP2 customer shall receive the following benefits, subject to the availability of funds:
 - (1) Exemption from water service charges and sewer service charges for the first three Hundred Cubic Feet (3 Ccf) per month of water used. If the customer uses less than three Hundred Cubic Feet (3 Ccf) of water in any month, the exemption will apply based on the amount of that month's billed water usage; and
 - (2) Credit of fifty percent (50%) off of the monthly billed CRIAC.
- (c) Upon receipt of notice from DOEE that the CAP2 customer meets the financial eligibility requirements, DC Water shall provide the CAP2 benefits for the entire Fiscal Year 2019, beginning October 1, 2018 and terminating on September 30, 2019, subject to the availability of budgeted funds.
- (d) If DC Water determines that the remaining budgeted funds are insufficient to provide CAP2 benefits, DC Water may:

- (1) Suspend the process for accepting CAP2 applicants; or
- (2) Suspend providing CAP2 benefits to CAP2 recipients.

(e) The CAP2 Program shall terminate on September 30, 2019.

4102.3 Eligibility for the CAP and CAP2 Programs shall be determined by DOEE based on the income eligibility criteria provided in § 4102.1(a)(2) and § 4102.2(a)(2).

4102.4 DOEE CUSTOMER ASSISTANCE PROGRAM III FOR SINGLE-FAMILY AND INDIVIDUALLY METERED HOUSEHOLDS

(a) DC Water shall apply DOEE Customer Assistance Program III (CAP3) benefits to an eligible single-family or individually-metered Residential Customer's account in accordance with the following:

- (1) The applicant maintains an active DC Water account and is responsible for paying for water and sewer services and/or the CRIAC;
- (2) DOEE has notified DC Water that the customer has met the requirements of 20 DCMR Chapter 37 and is eligible to receive the CAP3 benefits;
- (3) DOEE has notified DC Water of the amount of the CAP3 benefits to be applied to the CAP3 customer's account each billing period; and
- (4) DOEE has transferred funds to DC Water for the benefits applied to the customer's account.

(b) DC Water shall stop applying CAP3 benefits to a CAP3 customer's account upon receipt of notice from DOEE that the customer is no longer eligible for the CAP3 benefits, or receipt of notice from DOEE regarding the unavailability of funds.

(c) If DC Water determines that the remaining budgeted funds are insufficient to provide CAP3 benefits, DC Water may:

- (1) Suspend the process for accepting CAP3 applicants; or
- (2) Suspend providing CAP3 benefits to CAP3 recipients.

4102.5 DOEE CLEAN RIVERS IMPERVIOUS SURFACE AREA CHARGE RELIEF PROGRAM FOR NONPROFIT ORGANIZATIONS

- (a) DC Water shall apply DOEE CRIAC Relief Program for Nonprofit Organizations (CRIAC Nonprofit Relief Program) benefits to an eligible non-profit organization's account in accordance with the following:
 - (1) The applicant maintains an active DC Water account and is responsible for paying for the CRIAC charges;
 - (2) DOEE has notified DC Water that the customer has met the requirements provided in 21 DCMR § 561 and is eligible to receive CRIAC Nonprofit Relief Program benefits;
 - (3) DOEE has notified DC Water of the amount of the benefits to be applied to the nonprofit organization's account each billing period; and
 - (4) DOEE has transferred funds to DC Water for the CRIAC Nonprofit Relief Program benefits applied to the customer's account.
- (b) DC Water shall stop applying CRIAC Nonprofit Relief Program benefits to a customer's account upon notice from DOEE that the customer is no longer eligible for the CRIAC Nonprofit Relief Program benefits.
- (c) If DC Water determines that the remaining budgeted funds are insufficient to provide CRIAC Nonprofit Relief Program benefits, DC Water may:
 - (1) Suspend the process for accepting CRIAC Nonprofit Relief Program applicants; or
 - (2) Suspend providing CRIAC Nonprofit Relief Program benefits to CRIAC Nonprofit Relief Program recipients.

4102.6 Nothing in this section shall be interpreted to mean that the benefits provided through DC Water's CAP or CAP2 Programs or DOEE's CAP3 or CRIAC Nonprofit Relief Programs are an entitlement, continuing or otherwise.

4102.7 For the purposes of this section, the term "SMI" means the state median income as determined on an annual basis by the U.S. Department of Health and Human Services (HHS).

4102.8 For the purposes of this section, the term "AMI" means the Area Median Income (AMI), alternately referred to as the HUD Area Median Family Income (HAMFI), determined on an annual basis by the U.S. Department of Housing and Urban Development (HUD).