

Presented and Adopted: July 7, 2022

SUBJECT: Adopt and Approve to Publication of Notice of Final Rulemaking to Amend DC Water’s Personnel Regulations to Add Paid Parental Leave to the Types of Un-Accrued Leave

**#22-37
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 (“DC Water”) at the Board meeting held on July 7, 2022 upon consideration of a joint-use matter, decided by a vote of ten (10) in favor and none (0) opposed, to take the following action regarding the adoption and approval to publish the Notice of Final Rulemaking to Amend DC Water’s Personnel Regulations to add Paid Parental Leave to the types of un-Accrued leave.

WHEREAS, pursuant to D.C. Official Code § 34-2202.05(a)(4), the Board has the duty to develop and establish a personnel system and publish rules and regulations setting forth minimum standards for all employees, including leave benefits; and

WHEREAS, pursuant to D.C. Law 20-155, February 26, 2015, the Council for the District of Columbia enacted a new Government Family Leave Program providing eligible District government employees up to 8 weeks of paid leave within a 12 month period for the: 1) birth of a child of the employee, 2) legal placement of a child with the employee, 3) placement with the employee of a child the employee assumed and discharges parental responsibilities, or 4) care of a family member of the employee who has a serious health condition; and

WHEREAS, pursuant to D.C. Law 21-264, effective April 7, 2017, the Council for the District of Columbia enacted the Universal Paid Leave Amendment Act of 2016, which requires applicable District employers to contribute 0.62% of the wages of each of its covered employees to the Universal Paid Leave Implementation Fund that will provide eligible covered employees up to: 1) 8 weeks of paid parental leave; 2) 6 weeks of paid family leave; or 3) 2 weeks of paid medical leave up to the maximum weekly benefit of \$1,000; and

WHEREAS, the Chief Legal Officer advised the General Manager that DC Water and its employees are not subject to the requirements or benefits of the District’s Government Family Leave Program or the Universal Paid Leave Amendment Act of 2016; and

WHEREAS, on January 8, 2020, the Human Resources and Labor Relations (HR&LR) Committee met and considered the General Manager's proposal to establish a Paid Parental Leave program and recommended the amendment of DC Water's personnel regulations to add "Paid Parental Leave" to the list of un-accrued leave that may be provided to eligible employees; and

WHEREAS, on January 8, 2020, the General Manager presented to the HR&LR Committee its proposed Paid Parental Leave Program that will provide eligible DC Water employees up to eight (8) weeks of paid parental leave, during the first 12 months of: 1) birth of a child of the employee; 2) placement of a child with the employee for adoption or foster care; or 3) placement of a child with the employee that the employee permanently assumes and discharges parental responsibility; and

WHEREAS, the General Manager noted DC Water's Personnel Regulations, 21 DCMR § 5204.4, must be amended to add Paid Parental Leave to the types of un-accrued leave before this new benefit program could be established for DC Water employees; and

WHEREAS, on January 8, 2020, the HR&LR Committee, after discussion and consideration, recommended the Board approve the publication of the amendments to DC Water's Personnel regulations to add the Paid Parental Leave to the types of un-accrued leave DC Water may grant to its employees; and

WHEREAS, on February 6, 2020, the Board, through Resolution #20-06, approved the Notice of Proposed Rulemaking (NOPR) in the District of Columbia Register (*D.C. Register*) to seek public comments on the amendments to 21 DCMR § 5204.4, adding Paid Parental Leave to the types of un-accrued leave; and

WHEREAS, on February 21, 2020, DC Water published the NOPR at 67 DCR 1988; and

WHEREAS, on June 14, 2022, the HR&LR Committee held a Special Meeting to consider comments received during the comment period for the NOPR and the final proposal to add Paid Parental Leave to the list of types of un-accrued leave that may be granted to eligible DC Water employees; and

WHEREAS, the General Manager reported that no comments were submitted on the NOPR, and outlined the scope of the proposed Paid Parental Leave Program, which would 1) provide up to 8 weeks paid leave to be taken continuously or intermittently during the first 12 months to allow employees (mothers and/or fathers) to bond with a new childbirth, adoption or permanent placement of a child; and

WHEREAS, on June 14, 2022, the HR&LR Committee, after discussion and consideration, recommended to the Board to amend the DC Water Personnel Regulations to add "Paid Parental Leave" to the list of types of un-accrued leave that may be granted to eligible employees; and

WHEREAS, the Board adopted and approved the publication of the Notice of Final Rulemaking to amend the DC Water Personnel Regulations, 21 DCMR § 5204.4, to add "Paid Parental Leave" to the list of types of un-accrued leave, and authorizes the General Manager to establish the policy and procedures to provide up to 8 weeks of paid family leave during the first 12 months for the: 1) birth of a child of the employee; 2) placement of a child with the employee for adoption or foster care; or 3) placement of a child with the employee that the employee permanently assumes and discharges parental responsibility.

NOW THEREFORE BE IT RESOLVED:

1. The Board adopts and directs the General Manager to publish a Notice of Final Rulemaking in the District of Columbia Register to amend DC Water's Personnel Regulations, adding Paid Parental Leave to the types of un-accrued leave that may be granted to eligible employees as provided in Attachment A.
2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required in accordance with the District of Columbia's Administrative Procedures.

This resolution is effective immediately.


Secretary to the Board of Directors

Attachment A

Amend Types of Un-Accrued Leave to Include Paid Parental Leave

Chapter 52, D.C. WATER AND SEWER AUTHORITY PERSONNEL REGULATIONS, of Title 21 DCMR, WATER AND SANITATION, is amended as follows:

Section 5204, LEAVES, HOLIDAYS AND OTHER ABSENCES, Subsection 5204.4 is amended to read as follows:

5204.4 The Authority recognizes the following types of un-accrued leave that may be granted to eligible employees in qualifying circumstances:

- (a) Leave of Absence Without Pay.
- (b) Federal and District of Columbia Family and Medical Leave.
- (c) Jury Duty Leave of Absence.
- (d) Military Leave of Absence.
- (e) Administrative Leave.
- (f) Bereavement Leave.
- (g) Paid Parental Leave.
- (h) Leave approved by the Board of Directors.

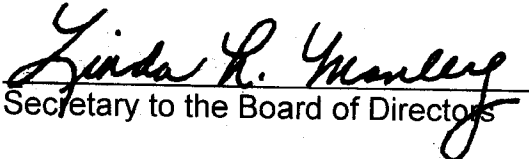
Presented and Adopted: July 7, 2022
SUBJECT: Approval to Execute Contract No. 220080A, Arcadis,
District of Columbia

#22-38
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 July 7, 2022, upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve the execution of Contract No. 220080A, Arcadis, District of Columbia.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Contract No. 220080A, Arcadis, District of Columbia. The purpose of the contract is to conduct a condition assessment, data analysis, and provide recommendations for alternative rehabilitation methods for large diameter/major sewers. The contract not-to-exceed amount for the contract period of three years plus two renewal periods of one each year is not-to-exceed \$7,000,000. The renewal period will be approved at DC Water's discretion.


Secretary to the Board of Directors

Presented and Adopted: July 7, 2022

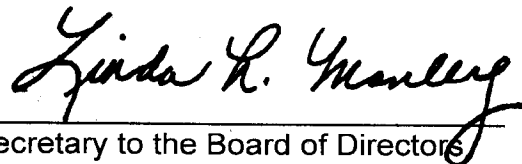
SUBJECT: Approval to Execute Contract No. 220080B, Greeley and Hansen, LLC

**#22-39
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 July 7, 2022, upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve the execution of Contract No. 220080B, Greeley and Hansen, LLC.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Contract No. 220080B, Greeley and Hansen, LLC. The purpose of the contract is to conduct a condition assessment, data analysis, and provide recommendations for alternative rehabilitation methods for large diameter/major sewers. The contract not-to-exceed amount for the contract period of three years plus two renewal periods of one each year is not-to-exceed \$7,000,000. The renewal period will be approved at DC Water's discretion.



Secretary to the Board of Directors

Presented and Adopted: July 7, 2022

SUBJECT: Approval to Execute Change Order No. 07 and 08 of Contract No. 170180, Ulliman Schutte Construction, LLC

**#22-40
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 July 7, 2022, upon consideration of a joint use matter, decided by a vote of ten (10) in favor and none (0) opposed to approve the execution of Change Order No. 07 and 08 of Contract No. 170180, Ulliman Schutte Construction, LLC.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Change Order No. 07 and 08 of Contract No. 170180, Ulliman Schutte Construction, LLC. The purpose of the change order is to upgrade the Spill Header, Dechlorination Building HVAC, the Motor Control Center, the Tunnel Dewatering Pump Station and to install baffles in the Grit Chamber. The total change order amount is \$12,149,672.


Secretary to the Board of Directors

Presented and Adopted: July 7, 2022

Subject: Approval to Amend Fiscal Year 2023 Capital Disbursement in the FY 2022 – 2031 Capital Improvement Program

**#22-41
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, ("DC Water") at its meeting on July 7, 2022 upon consideration of a joint-use matter, decided by a vote of ten (10) in favor and none (0) opposed, to take the following action with respect to the Fiscal Year 2022 - 2031 Capital Improvement Program.

WHEREAS, pursuant to Resolution #10-76, dated July 1, 2010, the Board's Rate Stabilization Fund Policy requires an annually updated 10-Year Financial Plan, which includes a 10-Year Capital Disbursement Plan; and

WHEREAS, on March 3, 2022, through Resolution #22-18, the Board approved the Fiscal Year 2022 - 2031 Capital Improvement Program (CIP) Disbursement Plan totaling \$6,419,899,000, and related Lifetime Budget totaling \$13,377,458,000; and

WHEREAS, on May 19, 2022, the Environmental Quality and Operations Committee was briefed on the FY 2022 second quarter CIP update including the preliminary FY 2022 year-end underspending of \$99,052,000 below the amended budget of \$510,112,000 for capital projects; and

WHEREAS, on May 26, 2022, the Finance & Budget Committee was briefed on the preliminary FY 2022 year-end forecasts for operating revenue, operating expenditure, capital disbursements and net cash position; consideration for using \$17,600,000 of the FY 2022 net cash position to be carried forward to FY 2023 for purchases of vehicles (\$10,400,000) and payment of the Washington Aqueduct fourth quarter invoice (\$7,200,000); and carry forward the unspent funds in capital projects to future years starting FY 2023; and

WHEREAS, on June 23, 2022, the Finance & Budget Committee was briefed on the updated FY 2022 year-end forecasts and recommended that the Board approve the amendment of the FY 2023 Capital Budget in the FY 2022 – 2031 Capital Improvement Program from \$647,004,000 to \$664,604,000: 1) using \$17,600,000 of the projected FY 2022 net cash position for the purchases of vehicles (\$10,400,000) and payment of the Washington Aqueduct fourth quarter invoice (\$7,200,000), 2) reducing the capital equipment amount by \$17,600,000 in FY 2031, 3) carrying forward the current projected

FY 2022 underspending of \$105,416,000 for capital projects to FY 2023 and beyond with annual allotments to be determined in the ten-year CIP that will be delivered to the Board as part of the next budget cycle in January 2023; and 4) maintaining the Board-adopted Fiscal Year 2022 – 2031 Capital Improvement Program Disbursement Plan totaling \$6,419,899,000.

NOW THEREFORE, BE IT RESOLVED THAT:

The Board hereby approves and adopts amendment to the FY 2023 Capital Budget from \$647,004,000 to \$664,604,000: 1) using \$17,600,000 of the projected FY 2022 net cash position for purchases of vehicles (\$10,400,000) and payment of the Washington Aqueduct fourth quarter invoice (\$7,200,000), and 2) reducing the capital equipment amount by \$17,600,000 in FY 2031. The Board also authorizes the carry forward of the actual FY 2022 underspending currently estimated at \$105,416,000 for capital projects to FY 2023 and beyond with annual allotments to be determined in the ten-year CIP that will be delivered to the Board as part of the next budget cycle in January 2023. The General Manager shall report to the Board the final amount of capital underspending from FY 2022 to FY 2023 by November 2022.

This resolution is effective immediately.


Secretary to the Board of Directors

Presented and Adopted: July 7, 2022
Subject: Approval to Amend Fiscal Year 2023 Operating Budget

#22-42
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, ("DC Water") at the Board meeting on July 7, 2022, upon consideration of a joint-use matter, decided by a vote of ten (10) in favor and none (0) opposed, to take the following action with respect to the Amended Fiscal Year 2023 Operating Budget.

WHEREAS, on March 3, 2022, through Resolution #22-20, the Board approved the Fiscal Year 2023 Operating Budget that totaled \$686,403,165: and

WHEREAS, on May 26, 2022, the Finance & Budget Committee was briefed on the preliminary FY 2022 year-end forecasts for operating revenue, operating expenditure, capital disbursements and net cash position; and consideration for reallocating in FY 2023, \$3,000,000 of net cash surplus to cover projected shortfalls in chemicals and energy in FY 2023 primarily due to higher unit prices of various major chemicals used at the Plant and electricity due to market price volatility; and

WHEREAS, on June 23, 2022, the Finance & Budget Committee was briefed on the updated FY 2022 year-end forecasts and the General Manager's recommendation to reallocate \$3,000,000 of projected underspending in debt service in FY 2023 to cover projected shortfalls in chemicals and electricity, and recommended that the Board approve the amendment of the FY 2023 Operating Budget to allocate \$3,000,000 of projected net cash surplus in FY 2022 to cover projected shortfalls in chemicals and electricity in FY 2023 and the allocation of \$3,912,000 to PAYGO.

NOW THEREFORE BE IT RESOLVED THAT:

The Board hereby approves and adopts an amendment to DC Water's Fiscal Year 2023 Operating Budget by reallocating \$3,000,000 from the net cash surplus to the FY 2023 chemicals and utilities budget, and amending the Fiscal Year 2023 Operating Budget to \$689,403,165 and the carryover of \$6,912,000 in the cash balance.

This resolution is effective immediately.


Secretary to the Board of Directors

Presented and Adopted: July 7, 2022

SUBJECT: Approval to Execute Contract No. 220030, Capitol Paving of DC Inc.

**#22-43
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 July 7, 2022, upon consideration of a non-joint use matter, decided by a vote of five (5) in favor and none (0) opposed to approve the execution of Contract No. 220030, Capitol Paving of DC Inc.

Be it resolved that:

The Board of Directors hereby authorizes the General Manager to execute Contract No. 220030, Capitol Paving of DC Inc. The purpose of this contract is to address full lead service replacement of existing lead services throughout the District of Columbia. The contract will also consist of providing private side agreements and documentation. The contract amount is \$10,302,000.


Secretary to the Board of Directors

Presented and Adopted: July 7, 2022
**SUBJECT: Approval to Publish Notice of Final Rulemaking for New
and Amended Fees & Charges**

#22-44
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The District members of the Board of Directors (“Board”) of the District of Columbia Water and Sewer Authority (“the Authority” or “DC Water”) at the Board meeting held on July 7, 2022 upon consideration of a non-joint use matter, decided by a vote of five (5) in favor and none (0) opposed, to approve the following actions with respect to the publication of the Notice of Final Rulemaking for new and amended Fees and Charges.

WHEREAS, Section 203(11) of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111, § 203(11); D.C. Code § 34-2202.03(11)) authorizes DC Water to establish, adjust and collect charges for services, facilities, or commodities furnished or supplied by DC Water; and

WHEREAS, in accordance with Resolution #11-10, dated January 6, 2011, DC Water establishes rates, charges and fees in accordance with the Board approved Rate Setting Policies, including the recovery of current costs to provide the services; and

WHEREAS, on April 26, 2022 the DC Retail Water and Sewer Rates Committee met to consider the recommendations from the General Manager for proposed new and amended fees and charges including: Engineering/Permitting fees; Fats, Oil and Grease (FOG) fee, Cross-Connection Control/Backflow Fee; Fire Hydrant Use Charges and Meter Rental Fees; High Strength Waste Fees; Hauled Waste Fees; Penalties and Turnoff Charges, Tap Fees, and other miscellaneous fees, and recommended the Board approve the publication of the Notice of Proposed Rulemaking (NOPR) for public comment; and

WHEREAS, on May 5, 2022, the Board through Resolution # 22-29, approved the publication of the NOPR in the District of Columbia Register (*D.C. Register* or DCR) for public comment on the proposed new and amended fees and charges in accordance with the District of Columbia Administrative Procedures Act effective July 22, 2022; and

WHEREAS, on May 20, 2022, DC Water published the NOPR in the *D.C. Register* at 69 DCR 5518 to receive public comments on the NOPR during the public comment period ending June 20, 2022; and

WHEREAS, on June 28, 2022, the DC Retail Water and Sewer Rates Committee met to consider comments received during the public comment period and the General Managers recommendation for the final proposal for amended and new fees and charges; and

WHEREAS, the General Manager reported that no comments were submitted on the proposed fees and charges published in the NOPR and addressed follow-up questions from Committee Members; and

WHEREAS, the DC Retail Water and Sewer Rates Committee after further consideration of the responses to the Committee Members' questions and discussion regarding the effective date of the engineering and permitting fees, recommended the Board approve the publication of the Notice of Final Rulemaking (NOFR) in the *D.C. Register*, provided the effective date for engineering and permitting fees shall be October 1, 2022 and the effective date for the remaining fees and charges shall be July 22, 2022; and

WHEREAS, after consideration of the recommendation of the DC Retail Water and Sewer Rates Committee, the recommendation of the General Manager, the District members of the Board of Directors, approved the adoption and approval of the new and amended fees and charges as presented in Attachment A.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board directs the General Manager to publish a Notice of Final Rulemaking in the District of Columbia Register to promulgate the new and amended fees and charges as provided in Attachment A.
2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required in accordance with the District of Columbia Administrative Procedure Act.

This resolution is effective immediately.


Secretary to the Board of Directors

**Attachment A
Amended Fees & Charges**

Chapter 1, WATER SUPPLY, of Title 21 DCMR, WATER AND SANITATION, Section 112, FEES, Subsections 112.1 through 112.6 are amended as follows, effective July 22, 2022, except as otherwise noted:

112 FEES

Subsection 112.1 is amended to read as follows, effective July 22, 2022:

112.1 Fees for installation, inspection and removal/abandonment of water and sewer tap or connection, and meter setter or vault, shall be as follows:

Inspection Fees	Fee
Inspect Sewer Tap Removal/Abandonment	\$325
Inspect Pointing Up Sewer Taps	\$915
Inspect Insertion of Y-Branch	\$325
Inspect Installation of Standard Cleanout	\$325
Meter Setter Inspection	\$250
Meter Setter Re-Inspection	\$250
Meter Vault Inspection	\$1,000
Meter Vault Re-Inspection	\$1,000

Tap Insertion and Abandonment	Fee
Tap Insertion – 1” diameter	\$455
Tap Insertion – 1-1/2” diameter	\$530
Tap Insertion – 2” diameter	\$575
Water Connection	Reimbursable
Water Connection 3” and Larger	\$2,500
Water Tap Removal/Abandonment – 2” diameter or less	\$425
Water Tap Removal/Abandonment – greater than 2” diameter	\$850

Subsection 112.2 is amended to read as follows, effective July 22, 2022:

112.2 Fees for fire hydrants flow tests; fire hydrant meter rentals; rentals of fire hydrant meters with backflow preventer; and for the installation and removal of water bubblers shall be as follows:

Fee Name	Fee
Fire Hydrant Flow Test (Field Test)	\$320
Fire Hydrant Flow Test (Computer Model)	\$320
Fire Hydrant Flow Test (Recent Test Record Available)	\$135
Fire Hydrant Use – Water and Sewer Rate	Usage-Based, see 21

Fee Name	Fee
	DCMR Chapter 41
Letter in Lieu of Hydrant Flow Test	\$250
Fire Hydrant Permit Fee	\$75
Private Fire Hydrant Flush	\$90
3" Fire Hydrant Meter Deposit	\$1,750 per rental
3" Fire Hydrant Meter Rental <15 days	\$130
3" Fire Hydrant Meter Rental ≥15 days	\$10 per day
3" Fire Hydrant Meter w/Backflow Preventer Deposit	\$2,750 per rental
3" Fire Hydrant Meter w/Backflow Preventer Rental <15 days	\$195 per rental
3" Fire Hydrant Meter w/Backflow Preventer Rental ≥15 days	\$15 per day
5/8" Fire Hydrant Meter w/Backflow Preventer Deposit	\$950 per rental
5/8" Fire Hydrant Meter w/Backflow Preventer Rental <15 days	\$115 per rental
5/8" Fire Hydrant Meter w/Backflow Preventer Rental ≥15 days	\$10 per day
Installation and Removal of Water Bubblers	Fee
1 Water bubbler	\$262
Each additional Water bubbler after the first in the same general location	\$54

Subsection 112.4 is amended to read as follows, effective July 22, 2022:

112.4 Retail customer fees and charges; legal and copying fees; and event and equipment fees shall be as follows:

(a) Retail customer fees and charges shall be as follows:

Fee Name	Fee
Customer Bad Check Fee	\$30
Declined Credit Card Fee	\$40
Customer Penalty Late Payment Fee	10.00% after 30 days
Additional Penalty Late Payment Fee	1%/month after 60 days, compounded monthly
New Customer Account Initiation Fee	\$55
Turn-Off Charges for Non-Payment	\$55
Reconnection Fee – Residential Customer	\$50.00
Reconnection Fee – Multi-Family and Non-Residential Customer	\$100
Unauthorized Turn-On	\$260
Notice of Follow Up (NOFOL) Compliance Fee	\$475
Broken Bypass Seal	\$745
Second Water Audit within 24 months	\$135
Manual Meter Reading Fee ¹	\$20 /month/meter
Manual Meter Reading Fee ¹ 5/8"-2" Multi-Family and Non-Residential	\$100 /month/meter
Manual Meter Reading Fee ¹ 3"-4"	\$250 /month/meter

Fee Name	Fee
Multi-Family and Non-Residential Manual Meter Reading Fee ¹ 6" & greater	\$500 /month/meter

Multi-Family and Non-Residential
¹ The Manual Meter Read Fee is charged if customer refuses or does not respond to request to install Automatic Meter Reader or if the meter transmission unit is not transmitting due to the customer's failure to provide appropriate transmission requirements.

(b) Legal and copying fees shall be as follows:

Fee Name	Fee
Witness Fee	\$40 + Travel Expenses
DC Water Staff Expert Witness Fee	Salary + Fringe + Travel Expenses
Standard Letter and Legal Page (Photocopying)	\$0.75 per sheet
FOIA Processing Fee	\$10 + Staff Salary + Fringe

(c) Event and Equipment fees shall be as follows:

Size of Event (Attendees)	Number of DC Water Personnel Per Event¹	Cost per Event at \$90/hour per person
100 – 2,000	2	\$180/hour
2,000 – 5,000	4	\$360/hour
5,000 or more	6	\$540/hour

¹ Refers to the minimum number of personnel required for the event. Upon review of the event specifications, DC Water shall determine the appropriate number of personnel based on the assessed need.

Event Equipment	Cost per Unit per Event
Misting Tent ¹	\$585
Mobile Brita Hydration Station ¹	\$640
Cooling Station	\$450
Quench Buggy	\$2,650
DC Water Mascot	\$80

¹Refers to a per unit per event, assuming a single day event. For a multi-day event, the per unit cost would be multiplied by the number of days.

Subsection 112.5 is amended to read as follows, effective October 1, 2022:

112.5 Fees for engineering reviews both standard and expedited, excessive submission, and as-builts shall be as follows:

(a) **Small Project and Hybrid Project Plan Review Fees** shall be as provided in the table below for Small Projects, including:

- (1) Small Residential or Townhouse project subject to 12-B DCMR Residential Code Supplement with water service and meter two inches (2") or less;
- (2) Small Non-Residential subject to 12-A DCMR Building Code Supplement with water service and meter inches (2") or less;
- (3) Small Hybrid means a Small Residential or Non-Residential project with a domestic water service and meter two inches (2") or less and a fire service greater than two inches (2"); or
- (4) Projects requiring only a sewer connection six inches (6") or less in diameter or only a storm connection less than fifteen inches (15") in diameter.

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Small Project Base Plan - 1 st Submission Administrative Fee – All Small Projects	\$200	N/A	N/A	N/A
Small Project Rejected Plan Resubmission Administrative Fee - All Small Projects	\$100	N/A	N/A	N/A
Small Project Sheet and Shore - All Small Projects	\$1,250	\$2,500	14	7
Small Residential or Townhouse Project per meter connection	\$1,500	\$3,000	14	7
Small Non-Residential Project per meter connection	\$5,000	\$10,000	21	11
Small Hybrid Project per meter connection	\$6,750	\$13,500	21	11
Small Residential Approved Plan Revision (APR) per metered connection	\$500	\$1,000	14	7
Small Non-Residential or Hybrid APR per metered connection	\$1,450	\$2,900	21	11
Small Residential, Non-Residential or Hybrid Raze Permit Review and	\$400	\$800	14	7

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Utility Release Letter - No Abandonment				
Small Raze Permit Review and Utility Release Letter - With Abandonments	\$1,000	\$2,000	14	7
Small Non-Residential Temporary Water Connections	\$2,000	\$4,000	21	11
Small Project Review and Sign Off - only in DCRA ProjectDox or for DCRA Walk-In Applicants	\$150	N/A	7	N/A

***Review times are estimated; Actual time may vary.**

- (b) **Large Project Plan Review Fees** (large means having a domestic water service and fire service greater than two inches (2”) in diameter) shall be as provided in the table below as follows:

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Large Project Base Plan - 1 st Submission Administrative Fee	\$200	N/A	N/A	N/A
Large Project Rejected Plan Resubmission Administrative Fee	\$100	N/A	N/A	N/A
Large Plan Review Fee per meter:	\$15,000	\$ 30,000	30	15
Large Project Foundation to Grade	\$1,750	\$3,500	21	11
Large Project Approved Plan Revision (APR)	\$2,000	\$4,000	14	7
Large Project Sheeting and Shoring	\$12,500	\$25,000	30	15
Large Project Abandonment Waiver Request	\$750	\$1,300	14	7
Large Project Temporary Water Connections	\$5,000	\$10,000	21	11

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Large Fire Service Only Greater than 2" - with no interior renovations	\$5,000	\$10,000	21	11
Large Sanitary or Combined Connection Only 8" or larger	\$5,000	\$10,000	21	11
Large Storm Connection Only 15" or larger	\$5,000	\$10,000	21	11
Large Project Sign Off Only in DCRA ProjectDox	\$500	\$1,000	10	5
Large Water Meter Size Reduction Plan (with no other work)	\$5,000	\$10,000	21	11
Large Project Raze Only Utility Release Letter - No Abandonments	\$500	\$1,000	14	7
Large Project Raze Only Utility Release Letter - With Abandonments	\$1,500	\$3,000	14	7
Utility Infrastructure Only Review Fee (0 to 1,000 linear feet of water and/or sewer mains)	\$10,000	\$20,000	30	15
Utility Infrastructure Only Review Fee (1,000 – 2,500 linear feet of water and/or sewer mains)	\$15,000	\$30,000	30	15
Utility Infrastructure Only Review Fee (greater than 2,500 linear feet of water and/or sewer mains)	\$18,000	\$36,000	30	15

***Review times are estimated; Actual time may vary.**

(c) **Miscellaneous Fees** shall be as provided in the table below as follows:

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
Small Residential or Townhouse Plan Excessive Submission Review (5 th review or more) per meter connection	\$500	N/A	Based on No. of metered connections	Based on No. of metered connections
1 to 5 metered connections			14	7
6 to 20 metered connections			21	11
21 to 50 metered connections			40	20
greater than 50 metered connections			50	25
Small Non-Residential and Hybrid Plan Excessive Submission Review (5 th review or more)	\$750	N/A	Based on No. of metered connections	Based on No. of metered connections
1-3 metered connections			21	11
4 or more metered connections			30	15
Large Plan Excessive Submission Review (5 th review or more)	\$3,500	\$7,000		
Request for Information (RFI)	\$175	\$350	20	10
Request for As-Built Drawings	\$200	\$400	20	10
Water and Sewer Availability Letter	\$750	\$1,300		
Delayed Abandonment or Waiver	\$750	\$1,300	14	7
Processing of Standard Easement and Covenant (Initial Document)	\$2,000	\$4,000	14	7
Processing of Non-Standard Easement and Covenant (Initial Document)	\$8,500	\$17,000	21	11

Fee Name	Standard Fee	Expedited Review Fee	Standard Review Time* (Business Days)	Expedited Review Time* (Business Days)
One Day Plan Design and Review and Approval (Velocity Sign-Off Program)	\$25,000	N/A	1	N/A

***Review times are estimated; Actual time may vary.**

- (d) **DC Water “Velocity” Sign-Off Program** (One Day Final Plan Review and Approval) - a DCRA permit applicant may request to participate in the DC Water “Velocity” program in accordance with the following requirements:
- (1) Participation in DC Water’s “Velocity” Sign-Off Program only applies to plans resubmitted after DC Water’s initial standard or expedited plan review.
 - (2) Applicant shall pay the minimum DC Water “Velocity” Sign-Off Program fee of \$25,000 in addition to the applicable plan review fee and any other applicable fees.
 - (3) DC Water shall determine if the plans are eligible (complete and suitable) to participate in the program and that staff are available to perform the review requested.
 - (4) Upon acceptance into the DC Water “Velocity” Sign-Off Program, DC Water shall schedule a meeting with the Applicant to review and approve the plans, not less than one (1) week after the request to participate in the program.
 - (5) DC Water shall schedule one four-hour plan review and approval meeting, during which the Applicant shall present the revised plans and responses.
 - (6) If approved, the Applicant shall pay all required fees (e.g., SAF, inspection review, deposits, etc.) and DC Water shall issue the Water and Sewer Approval Certificate and approve the plans in ProjectDox.
 - (7) If DC Water issues additional comments or requirements, the applicant shall resubmit the revised plans within two (2) business days, and if all comments are acceptable, the plans shall be approved within one business day.
- (e) **Existing/Proposed As-Built Fee** shall be as provided in the table below as follows:

Fee Name	Fee
Small Residential or Townhouse	\$250 (each bldg.)
Small Non-Residential	\$500 (each bldg.)
Small Hybrid	\$750 (each bldg.)
Large Project	\$750 (Each Connection – water or sewer)
Installation of New Water or Sewer Main (20 to 100 feet)	\$2,500
Each additional 200 feet of water line	\$2,000
Each additional 400 feet of sewer main/line	\$2,000
Installation of Water Line - larger than 24" in diameter	Determined on a per project basis
Installation of Sewer - larger than 60" in diameter	Determined on a per project basis

- (f) **Construction Phase Customer Support Fee** that provides a singular DC Water contact to assist the applicant during construction with coordination between the various DC Water departments for meetings, and services, including, but not limited to: tap requests, meter sets, valve shuts, pre-construction meetings, CCTV coordination, lead service replacements, cooling system metering, plan revision approval, and billing questions. The Construction Phase Customer Support Fee shall be as provided in the table below as follows:

Fee Name	Fee
Residential Projects (including new Small Residential or Townhouse water/sewer connections, raze, temporary connection, 2" or less water meter)	\$500
Small Non-Residential or Hybrid (including new connections, raze, temporary connection, 2" or less water meter)	\$2,000
Large (including new connections, raze, sheeting and shoring, temporary connection, 3" or larger water meter)	\$4,500

Subsection 112.6 is amended to read as follows, effective July 22, 2022:

- 112.6 Waste Hauler Permit and Disposal Fees; Pretreatment Industrial User Permit and Sampling Fees; High Strength Waste Fees; and FOG Facility fees shall be as follows:

Fee Name	Fee
Waste Hauler Discharge Annual Permit Fee per Vehicle	\$50
Waste Hauling Disposal Fees	
High strength grease trap waste	\$0.077 per gallon
High strength septage waste	\$0.077 per gallon
Domestic strength waste	\$0.004 per gallon
Low strength waste	\$0.004 per gallon
Industrial User Permit Fees	
Permit Initial Fee	\$2,865
Permit Renewal Fee	\$955
Industrial User Annual Compliance Fees	
Significant or Non-Significant Categorical Industrial User	
1 Outfall	\$3,290
2 or more Outfalls	\$4,560
Significant Non-Categorical Industrial User Fees	
1 Outfall	\$3,290
2 or more Outfalls	\$4,560
Non-Significant Non-Categorical User	
1 Outfall	\$745
2 or more Outfalls	\$955
High Strength Waste Fees	
Biochemical Oxygen Demand (BOD)	\$0.162 per pound
Total Suspended Solids (TSS)	\$0.278 per pound
Total Kjeldahl Nitrogen (TKN) or Total Nitrogen (TN)	\$1.662 per pound
Total Phosphorus (TP)	\$5.234 per pound
Fats, Oil and Grease (FOG) Facility Monthly Fee	\$18.70 per month

Subsection 112.12(a) is amended to read as follows, effective July 22, 2022:

112.12 Cross-Connection/ Back Flow Prevention Fees and Turn-Off Charges

- (a) The Cross-Connection/ Back Flow Prevention Fees and Turn-Off Charges shall be as follows:

Fee Name	Fee
Cross-Connection/Back Flow Prevention Monthly Fee per Assembly	\$6.70
Cross-Connection Turn-off - 5/8" to 2"	\$215
Cross-Connection Turn-off - 3" to 5"	\$425
Cross-Connection Turn-off - 6" and larger	\$955

Presented and Adopted: July 7, 2022

SUBJECT: Approval to Publish Notice of Final Rulemaking for Fiscal Year 2023 and 2024 Adjusted Retail Metered Water and Sewer Service Rates, Right-of-Way (ROW), Payment-in-Lieu of Taxes (PILOT) Fee, Clean Rivers Impervious Area Charge (CRIAC), Retail Groundwater Sanitary Sewer Service Rate and High Flow Filter Backwash Sewer Rate

**#22-45
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The District members of the Board of Directors (“Board”) of the District of Columbia Water and Sewer Authority (“DC Water”) at the Board meeting held on July 7, 2022 upon consideration of a non-joint use matter, decided by a vote of five (5) in favor and none (0) opposed, to approve the following action with respect to the Publication of the Notice of Final Rulemaking for the Fiscal Year 2023 and Fiscal Year 2024 Adjusted Retail Metered Water and Sewer Rates, Clean Rivers Impervious Area Charge (CRIAC), Payment In Lieu of Taxes Fee (PILOT), Retail Groundwater Sanitary Sewer Service Rate and High Flow Filter Backwash Sewer Rate.

WHEREAS, pursuant to Resolution 11-10, dated January 6, 2011, the Board has adopted a revised rate setting policy that calls for rates, charges and fees that, together with other revenue sources, yield a reliable and predictable stream of revenues and will generate sufficient revenues to pay for DC Water’s projected operating and capital expenses; and

WHEREAS, the Board has adopted various financial policies that require revenues to ensure compliance with Board policies regarding maintenance of senior debt coverage and cash reserves; and

WHEREAS, pursuant to Resolution 13-79, dated July 3, 2013 and Resolution 17-52, dated September 7, 2017, DC Water established three classes of customers: residential, multi-family and non-residential, as promulgated in Section 4104 of Title 21 of the District of Columbia Municipal Regulations (DCMR); and

WHEREAS, on February 22, 2022 the DC Retail Water and Sewer Rates Committee met to consider the proposed rates, charges and fees changes for Fiscal Year (“FY”) 2023 and FY 2024 developed in accordance with the 2022 Cost of Service Study and recommended the Board approve the publication of the Notice of Proposed Rulemaking (NOPR) for public comment; and

WHEREAS, on March 3, 2022, the Board through Resolution #22-24, approved the publication of the NOPR and Notice of Public Hearing (NOPH) in the District of Columbia Register (*D.C. Register* or DCR) for public comment on the proposed FY 2023 & 2024 rates, charges and fee adjustments in accordance with D.C. Official Code § 34-2202.16(b), 21 DCMR Chapter 40, and the District of Columbia's Administrative Procedures Act; and

WHEREAS, on March 18, 2022, DC Water published the NOPR in the *D.C. Register* at 69 DCR 2288, and published the NOPH at 69 DCR 2137 to receive public comments on the NOPR during the public comment period ending May 16, 2022 and at a Public Hearing scheduled for May 11, 2022; and

WHEREAS, from March 18, 2022 to May 11, 2022, DC Water held: 2 in-person and 2 on-line Town Hall meetings, virtual briefings to members of Apartment and Office Building Association (AOBA), virtual briefings to Constituent Services Directors for District Councilmembers, virtual briefings to Mayor's Office of Community Relations staff, and virtual briefings to local non-profit community partners; and

WHEREAS, on May 11, 2022, the Board held a virtual Public Hearing on the FY 2023 & 2024 rates and fee adjustments presented in the NOPR to receive comments and testimony from the General Manager, Chief Financial Officer, Amawalk Consulting, and public witnesses: Office of the Peoples Counsel and Anacostia Watershed Society; and

WHEREAS, on June 28, 2022, the DC Retail Water and Sewer Rates Committee met to consider the General Manager's response to comments received at the Public Hearing and during the public comment period, and recommendations for the final proposed FY 2023 & 2024 rates and fees adjustments; and

WHEREAS, the General Manager discussed DC Waters response to comments submitted by the Office of the Peoples Counsel, the Anacostia Watershed Society and members of the public; and

WHEREAS, the General Manager recommended the DC Retail Water and Sewer Rates Committee recommend to the Board to adopt and approve as final the FY 2023 & 2024 rate and fee adjustments as presented in Resolution # 22-24 and published in the NOPR; and

WHEREAS, on July 28, 2022, after having evaluated the revenue requirements and projections, anticipated capital and operating expenditures, various funding sources, the public comments, and the recommendation of the General Manager, the DC Retail Water and Sewer Rate Committee recommended the Board adopt and approve the FY 2023 & FY 2024 retail water and sewer rate adjustments, increased groundwater sanitary and high flow backwash sewer rates, decreased CRIAC in FY 2023 and increased CRIAC in FY 2024, and increased Payment-In-Lieu of Taxes Fee as proposed in the NOPR; and

WHEREAS, on July 7, 2022, after consideration of the recommendation of the DC Retail Water and Sewer Rates Committee, the recommendation of the General Manager, and comments received during the public comments period, in-person and virtual Town Hall meetings and the May 11, 2022 virtual Public Hearing, the District members of the Board of Directors, upon further consideration and discussion, approved the FY 2023 & 2024 rate and fee adjustments.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board adopts the following adjusted rates, charges and fees:

Water Service Rates

- a. The retail rates for metered water services for FY 2023 and FY 2024 shall be as follows:

Metered Water Services

	FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
Residential customers - (0 - 4)	\$3.63	\$4.85	\$4.28	\$5.72	\$4.38	\$5.86	\$0.65	\$0.87	\$0.10	\$0.14
Residential customers - (> 4)	\$4.74	\$6.34	\$5.58	\$7.46	\$5.70	\$7.62	\$0.84	\$1.12	\$0.12	\$0.16
Multi-Family customers	\$4.15	\$5.55	\$4.90	\$6.55	\$5.00	\$6.68	\$0.75	\$1.00	\$0.10	\$0.13
Non-Residential customers	\$4.91	\$6.56	\$5.78	\$7.73	\$5.89	\$7.87	\$0.87	\$1.17	\$0.11	\$0.14

Sanitary Sewer Service Rates

- b. The retail rates for metered sanitary sewer services for FY 2023 and FY 2024 shall be as follows:

Metered Sewer Services

	FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
Residential customers	\$10.64	\$14.22	\$11.26	\$15.05	\$11.70	\$15.64	\$0.62	\$0.83	\$0.44	\$0.59
Multi-Family customers	\$10.64	\$14.22	\$11.26	\$15.05	\$11.70	\$15.64	\$0.62	\$0.83	\$0.44	\$0.59
Non-Residential customers	\$10.64	\$14.22	\$11.26	\$15.05	\$11.70	\$15.64	\$0.62	\$0.83	\$0.44	\$0.59

Clean Rivers Impervious Area Charge (CRIAC)

- c. The annual CRIAC shall be decreased from \$220.80 to \$217.68 per Equivalent Residential Unit (ERU) in FY 2023 and the proposed annual CRIAC shall be increased from \$217.68 to \$262.32 per ERU in FY 2024. The proposed annual CRIAC charge per ERU shall be billed monthly as follows:

Clean Rivers Impervious Area Charge (CRIAC)

	FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
	ERU	ERU	ERU	ERU	ERU	ERU	ERU	ERU	ERU	ERU
Residential customers	\$18.40	\$18.14	\$21.86				(\$0.26)			\$3.72
Multi-Family customers	\$18.40	\$18.14	\$21.86				(\$0.26)			\$3.72
Non-Residential customers	\$18.40	\$18.14	\$21.86				(\$0.26)			\$3.72

**District of Columbia Pass Through Charge
Right-of-Way Occupancy Fee and PILOT Fee**

d. There is no increase in the Right-of-Way Occupancy Fee in FY 2023 and FY 2024, which shall be as follows:

ROW

	FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
Residential customers	\$0.19	\$0.25	\$0.19	\$0.25	\$0.19	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00
Multi-Family customers	\$0.19	\$0.25	\$0.19	\$0.25	\$0.19	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00
Non-Residential customers	\$0.19	\$0.25	\$0.19	\$0.25	\$0.19	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00

e. The Payment-in-Lieu of Taxes Fee for FY 2023 and FY 2024 shall be as follows:

PILOT

	FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
Residential customers	\$0.56	\$0.75	\$0.59	\$0.79	\$0.61	\$0.82	\$0.03	\$0.04	\$0.02	\$0.03
Multi-Family customers	\$0.56	\$0.75	\$0.59	\$0.79	\$0.61	\$0.82	\$0.03	\$0.04	\$0.02	\$0.03
Non-Residential customers	\$0.56	\$0.75	\$0.59	\$0.79	\$0.61	\$0.82	\$0.03	\$0.04	\$0.02	\$0.03

Retail Groundwater Sanitary Sewer Service Rate

f. The retail sanitary sewer rate for the discharge of Groundwater for FY 2023 and FY 2024 shall be as follows:

Groundwater

FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
\$2.83	\$3.78	\$3.42	\$4.57	\$3.50	\$4.68	\$0.59	\$0.79	\$0.08	\$0.11

High Flow Filter Backwash Sewer Rate

- g. The proposed retail sanitary sewer rate for High Flow Filter Backwash Sewer for FY 2023 and FY 2024 shall be as follows:**

High Flow Filter Backwash Wastewater Retail Sewer Rate

FY 2022		FY 2023		FY 2024		FY 2023 vs. FY 2022 Incr. / (Decr.)		FY 2024 vs. FY 2023 Incr. / (Decr.)	
Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.	Ccf	1,000 Gal.
\$3.03	\$4.05	\$3.21	\$4.29	\$3.30	\$4.41	\$0.18	\$0.24	\$0.09	\$0.12

2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required to publish the Notice of Final Rulemaking to amend the District of Columbia Municipal Regulations to promulgate the adjusted rates, charges and fees in accordance with the District of Columbia's Administrative Procedures Act.

This resolution is effective immediately.


 Secretary to the Board of Directors

Presented and Adopted: July 7, 2022

SUBJECT: Approval to Publish Notice of Emergency and Proposed Rulemaking to Extend the DC Water Cares Emergency Relief Program for Low-Income Customers (Residential Assistance Program “RAP”) and Multifamily Assistance Program for Low Income Multifamily Tenants (Multifamily Assistance Program “MAP”) for Fiscal Year 2023 and Amend the CAP2 Recertification Requirements

**#22-46
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY**

The District members of the Board of Directors (“Board”) of the District of Columbia Water and Sewer Authority (“DC Water”) at the Board meeting held on July 7, 2022 upon consideration of a non-joint use matter, decided by a vote of five (5) in favor and none (0) opposed, to approve the following action with respect to the proposal to extend the DC Water Cares Emergency Relief Program for Low-Income Customers (“Residential Assistance Program” or “RAP”) and Multifamily Assistance Program for Low-Income Multifamily Tenants (“MAP”) for Fiscal Year 2023 and Amend the CAP2 Recertification Requirements.

WHEREAS, on September 3, 2020, the Board, through Resolution #20-65, approved the allocation of \$3 million to continue the District’s Emergency Residential Program in FY 2021 to provide one-time assistance up to \$2,000 to residential customers economically impacted by COVID-19 and to allocate \$7 million to establish a new program to provide one-time assistance to multi-family buildings where the occupants have been impacted by COVID and payment plans are established and adhered with the assistance determined and provided per affordable unit, and on a matching basis; and

WHEREAS, on December 2, 2021, the Board, through Resolution # 21-114, authorized the General Manager to amend the District of Columbia Municipal Regulations to extend the implementation of the DC Water Cares – Emergency Relief Program for Low-Income Residential Customers (Residential Assistance Program (RAP)) and Multifamily Assistance Program (MAP) due to ongoing economic impacts as a result of COVID-19, which continued to cause the number of potential eligible customers in arrears to increase, and the uncertainty of federal assistance programs to provide assistance for

customers in need; and

WHEREAS, the Board, through Resolution #21-114, also authorized the General Manager to amend the Customer Assistance 2 (CAP2) the District of Columbia Municipal Regulations to waive the FY 2021 CAP2 customer's recertification requirements for FY 2022 due to the Public Service Commission (PSC) Order 20990 that waived the recertification requirements for all FY 23032 Utility Discount Program participants for FY 2022; and

WHEREAS, on June 28, 2022, the DC Water and Sewer Rates Committee met to consider the status of the DC Water Cares: RAP and MAP programs and the General Manager's recommendations for Fiscal Year 2023; and

WHEREAS, the General Manager presented the status of the CAP2, RAP and MAP programs noting that CAP2 is anticipated to be over budget due increased outreach and recertification waiver, RAP will be under budget due to the introduction of the federal funded Low Income Household Water Assistance Program (LIHWAP) in FY 2022, but without LIHWAP, RAP enrollment and disbursements will increase in FY 2023, and MAP is under budget, but enrollment is anticipated to increase in FY 2023 with more owner education and increased incentives; and

WHEREAS, on November 4, 2021 the Board, through Resolution #21-99 approved the: 1) transfer from the FY 2022 \$5.0 million Targeted Assistance Fund: \$223,962.95 to the FY 2021 CAP and CAP2 Programs Budget, \$634,401.00 to the FY 2022 CAP and CAP2 Programs Budget, \$1,892,843.08 to the FY 2022 RAP Program Budget and \$2,248,792.97 to the MAP Program Budget, 2) rollover \$5,332,200.77 of the FY 2021 RAP and MAP balance amount for RAP and MAP Programs to the FY 2022 RAP and MAP Programs Budget, and 3) allocation of \$250,000.00 from FY 2021 MAP balance to Administrative Costs for RAP, MAP and CAP Programs for FY 2022; and

WHEREAS, the General Manger projected the unexpended balance for DC Water Cares: RAP and MAP at \$1.6 Million and \$3.2 Million, respectively, and recommended extending both programs for FY 2023 with changes to the MAP benefits calculation multiplier from three to six months average and modifying the tenant/owner credit distribution from 90/10 to 80/20 to increase MAP owner incentive and participation as presented in Attachment A; and

WHEREAS, the General Manager also recommended amending the CAP2 regulations to delete the FY 2022 CAP2 recertification waiver language since the PSC did not waive the recertification requirements for FY 2023; and

WHEREAS, the General Manager recommended these amendments be made through an emergency rulemaking to maintain the continuity of benefits for customers that continue to be in need due to the economic impacts of COVID-19 until the Board holds a Public Hearing and the final rulemaking is published on October 21, 2022; and

WHEREAS, after further consideration and discussion, the DC Retail Water and Sewer Rates Committee recommended the Board adopt and approve the publication of the Notice of Emergency and Proposed Rulemaking to amend 21 DCMR 4102 Customer Assistance Program, revising CAP2 and DC Water Cares: RAP and MAP regulations as proposed by the General Manager; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Board hereby adopts and approves the publication of the Notice of Emergency and Proposed Rulemaking (NOEPR) to amend 21 DCMR 4102 Customer Assistance Program as recommended by the DC Retail Water and Sewer Rates Committee and the General Manager to extend the DC Water Cares: RAP and MAP and amend the CAP2 recertification requirements, effective for 120 days as provided in Attachments A, effective October 1, 2022.
2. The General Manager is authorized to take all steps necessary in his judgment and as otherwise required, to initiate the public comment process and shall publish the Notice of the Emergency and Proposed Rulemaking and Notice of Public Hearing in accordance with the District of Columbia Administrative Procedure Act and implementing rules and D.C. Official Code § 34-2202.16.
3. This resolution is effective immediately.


Secretary to the Board of Directors

Attachment A

1. Subsection 4102.2, Customer Assistance Program II (CAP2), of Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended to read as follows:

4102.2 CUSTOMER ASSISTANCE PROGRAM II (CAP2)

- (c) Upon DC Water's receipt of notice from DOEE that the CAP2 customer meets the financial eligibility requirements, DC Water shall provide the CAP2 benefits for not more than the entire fiscal year, beginning October 1st and terminating on September 30th, subject to the availability of budgeted funds.
 - (1) Approved CAP2 customers that submitted a complete application to DOEE before November 1st, shall receive CAP2 benefits retroactive to October 1st and terminating on September 30th of that fiscal year.
 - (2) Approved CAP2 customers that submitted a complete application on or after November 1st, shall receive CAP2 benefits as of the date of submittal and terminating on September 30th of that fiscal year.
 - (3) Customers shall reapply each year for CAP2 benefits to receive CAP2 benefits.

2. Subsection 4102.9, DC Water Cares Emergency Relief Program for Low-Income Residential Customers, of Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended to read as follows:

4102.9 DC Water Cares Emergency Relief Program for Low-Income Residential Customers

- (a) Participation in the DC Water Cares Emergency Relief Program (DC Water Cares) shall be limited to a single-family or individually metered low-income 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
 - (2) DOEE has determined that the applicant's annual household income is equal to or 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) An approved customer shall receive the following benefits:
 - (1) Credit of one hundred percent (100%) off of the past due water and sewer bill balance; and
 - (2) The total amount of credits provides shall not exceed Two Thousand (2,000) dollars during Fiscal Year 2023.
- (c) Upon DC Water’s receipt of notice from DOEE that the applicant meets the financial eligibility requirements, DC Water shall provide the credits to the customer’s account from the date that DOEE accepts a completed application and for future qualifying events that may lead to collection activities to the end of the fiscal year in which the application was submitted.
- (d) The DC Water Cares Emergency Relief Program shall terminate on September 30, 2023.
- (e) Customer that received DC Water Cares benefits in FY 2022 must submit a renewal CAP or CAP2 application to DOEE to receive DC Water Cares benefits in Fiscal Year 2023.
- (f) If DC Water determines that the remaining budgeted funds are insufficient to provide DC Water Cares benefits, DC Water may:
 - (1) Suspend the process for accepting DC Water Cares applicants; or
 - (2) Suspend or adjust providing DC Water Cares benefits to eligible recipients.

3. Subsection 4102.10, DC Water Cares: Multifamily Assistance Program (MAP), Section 4102, CUSTOMER ASSISTANCE PROGRAMS, is amended to read as follows:

4102.10 DC Water Cares: Multifamily Assistance Program (MAP).

- (a) The DC Water Cares: Multifamily Assistance Program (MAP) provides up to two thousand (\$2,000) per eligible unit of emergency relief to an eligible Occupant residing in a participating Multi-Family Customer’s premises.
- (b) For purposes of this subsection, Non-Residential Customers whose premises has four or more dwelling units, are deemed Multi-Family Customers, as defined in 21 DCMR 4104, and eligible to apply to participate in the MAP.

- (c) For purposes of this subsection, the term “Occupant” includes a person that resides in a dwelling unit in an apartment, condominium, or cooperative housing association.
- (d) Multi-Family Customers and their eligible Occupants may participate in the MAP by complying with the requirements in this subsection.
- (e) To participate in the MAP, a Multi-Family Customer shall:
 - (1) Maintain an active DC Water account and be responsible for paying for water and sewer services at a Multi-Family Customer’s property that is:
 - (A) Not owned or operated by the District of Columbia or
 - (B) Not owned or operated by the Federal Government.
 - (2) Have one or more eligible Occupant in an active lease or rental agreement, condominium housing association deed or title, or cooperative housing association occupancy agreement or title to reside in their premises;
 - (3) Complete and submit a DC Water Cares: Multifamily Assistance Program Terms and Conditions Application and comply with DC Water requests for information and access to the premises as necessary to determine compliance with the MAP requirements;
 - (4) Upon approval to participate in the MAP, comply with all the MAP Terms and Conditions, post the MAP flier in a conspicuous location in the building or include the MAP flier in a notice or invoice to all unit Occupants to inform the Occupants about the MAP and encourage them to apply for assistance, if eligible;
 - (5) Upon receipt of MAP Credits, apply ninety percent (80%) of the MAP Credits to the DC Water approved eligible Occupant’s account within thirty (30) days of receipt of the MAP Credit, and the remaining ten percent (20%) shall be maintain as a credit on the DC Water account;
 - (6) Notify the eligible Occupant in writing that the credits were applied to their account within thirty (30) days of the receipt of the MAP Credit;
 - (7) Enter a payment plan agreement with DC Water for any remaining arrears outstanding on the DC Water account within sixty (60) days of receipt of the first MAP Credits; and

- (8) Notify DC Water within thirty (30) days of any change in ownership or the eligible Occupant's occupancy.
- (f) To be eligible to participate in the MAP, an Occupant shall be (1) named on the occupancy agreement, including, but not limited to a lease or rental agreement, condominium deed or title, or cooperative housing association occupancy agreement or title, (2) reside in a Multi-Family Customer's property that is master metered and approved to participate in the MAP, and (3) meet one of the following requirements:
- (1) Reside in an Affordable Housing Unit as defined in 21 DCMR § 199.1, provided the Occupant does not notify DC Water to be excluded from receiving MAP assistance within ten (10) days of receipt of notice of eligibility from DC Water; or
 - (2) Meet the annual household income limits equal to or 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 as follows:
 - (A) Occupant submits a Resident Application for DC Water Cares: Multifamily Assistance Program to the District of Columbia Department of Energy and Environment (DOEE) and DOEE determines that the applicant meets the annual household income requirements;
 - (B) Occupant that is eligible to receive Low-Income Energy Assistance Program (LIHEAP) or Utility Discount Program (UDP) assistance during Fiscal Year 2023 as determined by DOEE, shall be categorically eligible to participate in the MAP, provided they do not notify DC Water to be excluded from participating within ten (10) days of receipt of the notice of eligibility from DC Water; or
 - (C) Occupant that is eligible to receive assistance for public benefits programs during Fiscal Year 2023, including, but not limited to, the Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), or medical assistance programs, through Medicaid, Alliance and DC Healthy Families programs as determined by the District of Columbia Department of Human Services, shall be categorically eligible to participate in the MAP, provided they notify DC Water that they agree to participate in the MAP within ten (10) days of receipt of the notice of eligibility, but not later than September 21, 2023.

- (3) Occupant is not eligible to receive MAP assistance if they:
 - (A) Reside in a dwelling unit that is 100% subsidized.
- (g) DC Water shall notify the approved Multi-Family Customer and approved Occupant(s), setting forth the amount of the approved MAP Credits.
- (h) DC Water shall apply up to two thousand dollars (\$2,000) in MAP Credits per eligible unit during Fiscal Year 2023 on an approved Multi-Family Customer's DC Water account that has one or more eligible Occupant as follows:
 - (1) The MAP Credits provided per eligible unit shall be calculated based on the greater of A. or B., which is then divided by the total number of dwelling units in the premises:
 - (A) The average of the Multi-Family Customer's DC Water charges billed from October 1, 2021 to September 30, 2022 subtracting any amount of water and sewer charges applicable to any retail/commercial units and that result is multiplied by six (6); or
 - (B) Total amount of the outstanding balance on the Multi-Family Customer's DC Water account as of September 30, 2022 subtracting any water and sewer charges applicable to any retail/commercial units.
 - (2) DC Water shall revoke the amount of the MAP Credits applied to a Multi-Family Customer's DC Water account and charge the customer's account the full amount of the MAP Credits, if one or more of the following violations is not corrected within ten (10) days of the date of the notice of violation from DC Water:
 - (A) Failure to comply with the MAP Terms and Conditions;
 - (B) Failure to enter into a payment plan agreement within sixty (60) days of the receipt of the first MAP Credits to establish a payment schedule for any remaining outstanding charges;
 - (C) Failure to apply the MAP Credits to the Occupant's account within thirty (30) days of receipt of the MAP Credits; or
 - (D) Multi-Family Customer or Occupant commits fraud or makes false statements in connection with the MAP.

- (i) Multi-Family Customer that receives MAP Credits on their DC Water account shall:
 - (1) Apply ninety percent (80%) of the total MAP Credits for the approved Occupant on their account within thirty (30) days of the date of the notice of the amount of the Credits from DC Water, and the remaining ten percent (20%) shall be maintain as a credit on the DC Water account;
 - (2) Notify the approved Occupant, in a statement or separate writing, that the credit has been applied to their account within thirty (30) days of receipt of the MAP Credits from DC Water;
 - (3) Notify DC Water within thirty (30) days of any change in ownership if DC Water has not applied the MAP Credits to the Multi-Family Customer's DC Water account;
 - (4) Notify DC Water within thirty (30) days of any change in the Occupant's occupancy if the MAP Credits have not been applied to the Occupant's account;
 - (5) Provide the Occupant any MAP Credits remaining in their account if the Occupant terminates their occupancy;
 - (6) Provide, upon DC Water's request, documentation confirming that the MAP Credits have been applied to the Occupant's account;
 - (7) Provide DC Water access to the premises and records to conduct an audit to determine compliance with these regulations and the MAP Terms and Conditions; and
 - (8) Maintain all documents related to the MAP Terms and Conditions Application, receipt and handling of MAP Credits, and notices to approved Occupant(s).
- (j) The DC Water Cares MAP shall terminate September 30, 2023.
- (k) Multi-Family Customer that received MAP Credits in FY 2022 must submit a renewal DC Water Cares: Multifamily Assistance Program Terms and Conditions Application to DC Water to receive MAP Credits in Fiscal Year 2023.
- (l) Occupant residing in multifamily properties that received MAP Credits on their account in FY 2022 must submit a renewal Resident Application for DC Water Cares: Multifamily Assistance Program to DOEE to receiving MAP Credits in Fiscal Year 2023.

- (m) If DC Water determines that budgeted funds are insufficient to provide DC Water Cares MAP Credits, DC Water may:
 - (1) Suspend the process for accepting DC Water Cares MAP applications; or
 - (2) Suspend or adjust providing DC Water Cares MAP Credits to eligible Multi-Family Customer's DC Water account.
- (n) DC Water shall notify a Multi-Family Customer or Occupant if they are denied eligibility for the MAP by issuing a Notice of Denial, which shall contain a written statement of the basis for the denial and advising the Multi-Family Customer or Occupant of the following:
 - (1) Multi-Family Customer or Occupant may challenge the denial of eligibility to participate in the MAP by:
 - (A) Submitting a written Request for Reconsideration within fifteen (15) days of the date of the Notice of Denial; and
 - (B) Providing a statement of the basis why they should be eligible and supporting documentation.
 - (2) The General Manager shall review the Request for Reconsideration and make a final determination of eligibility.
 - (3) The Multi-Family Customer or Occupant may request an Administrative hearing in writing, within fifteen (15) days of the date of the General Manager's written final determination, if he or she is not satisfied with the General Manager's determination; and
 - (4) The Customer shall be notified in writing of the date and time of the Administrative Hearing, if requested.

All persons desiring to comment on this Notice of Emergency and Proposed Rulemaking should submit comments in writing not later than [5 days after HEARING DATE]. Comments should be submitted to Linda R. Manley, Secretary to the Board, District of Columbia Water and Sewer Authority, 1385 Canal Street, S.E., Washington, D.C. 20003, by email to Lmanley@dcwater.com, or by FAX at (202) 787-2795. Copies of the Notice of Emergency and Proposed Rulemaking may be obtained from DC Water at the same address or by contacting Ms. Manley at (202) 787-2330.