

## Putnam PSD's Statement on Stormwater Disconnects

According to SB323, passed by the West Virginia Legislature in March 2008, Hurricane is one of 27 municipalities in WV that are permitted to disconnect water service for non-payment of stormwater fees due to the city.<sup>1</sup> If Putnam PSD is the potable water provider for a given customer that the City of Hurricane deems to be delinquent in paying their storm water bills, PPSD is required to terminate said customer's water service under §16-13A-9(b) of the West Virginia Code, which states:

In the event that any publicly or privately owned utility, city, incorporated town, other municipal corporation or other public service district included within the district owns and operates separately water facilities, sewer facilities or stormwater facilities and the district owns and operates another kind of facility either water or sewer, or both, as the case may be, then the district and the publicly or privately owned utility, city, incorporated town or other municipal corporation or other public service district shall covenant and contract with each other to shut off and discontinue the supplying of water service for the nonpayment of sewer or stormwater service fees and charges: *Provided*, That any contracts entered into by a public service district pursuant to this section shall be submitted to the Public Service Commission for approval. Any public service district which provides water and sewer service, water and stormwater service or water, sewer and stormwater service has the right to terminate water service for delinquency in payment of water, sewer or stormwater bills. Where one public service district is providing sewer service and another public service district or a municipality included within the boundaries of the sewer or stormwater district is providing water service and the district providing sewer or stormwater service experiences a delinquency in payment, the district or the municipality included within the boundaries of the sewer or stormwater district that is providing water service, upon the request of the district providing sewer or stormwater service to the delinquent account, shall terminate its water service to the customer having the delinquent sewer or stormwater account: *Provided, however*, That any termination of water service must comply with all rules and orders of the Public Service Commission.<sup>2</sup>

The key phrase in the above passage is "shall covenant and contract." That means that we are required by law to terminate water service whenever another utility provider (in this case, Hurricane) deems the customer to be delinquent in storm sewer service payments.

If you have any questions, comments, or complaints about this policy, please contact the City of Hurricane at 304-562-5896 or their municipal water and sewer department at 304-562-9906.

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<sup>1</sup> SB 323,

[http://www.legis.state.wv.us/Bill\\_Status/bills\\_text.cfm?billdoc=SB323%20SUB1%20enr.htm&yr=2008&sesstype=RS&i=323](http://www.legis.state.wv.us/Bill_Status/bills_text.cfm?billdoc=SB323%20SUB1%20enr.htm&yr=2008&sesstype=RS&i=323)

<sup>2</sup> West Virginia Code,

<http://www.legis.state.wv.us/WVCODE/ChapterEntire.cfm?chap=16&art=13A&section=9#13A#13A>