



**Louisville & Jefferson County Metropolitan Sewer District
Bullitt County Final Schedule of Rates, Rentals and Charges
Effective: January 1, 2022**

On November 30, 2021, Louisville & Jefferson County Metropolitan Sewer District acquired the wastewater system of the Bullitt County Sanitation District (BCSD) including the Big Valley and Hunters Hollow systems pursuant to the terms of an Interlocal Cooperation Agreement dated May 6, 2021, as amended.

The initial charges by MSD applicable to wastewater customers for wastewater collection and treatment services, and for capacity, in all areas of the former BCSD service area, including areas served by the Big Valley Wastewater System and the Hunters Hollow Wastewater Collection System, will be no more than the charges being paid by customers for wastewater collection and treatment services, and for capacity, immediately prior to the transfer of the System. From and after the date of transfer through December 31, 2026, MSD increases in charges for wastewater collection and treatment services will not exceed the increases authorized by Bullitt County Ordinance No. 17-2 adopted by Bullitt County Fiscal Court on February 7, 2017. Accordingly rates for residential, commercial and industrial customers in the former BCSD service area including Big Valley Wastewater System and Hunters Hollow Collection System shall be:

1.0 WASTEWATER SERVICE CHARGES

The Wastewater Service Charge is based on water used as measured by a Louisville Water Company meter(s).

1.1 Charges for former Bullitt County Sanitation District service area:

- 1.1.1 The first 2,000 gallons of usage shall be billed at \$35.58 per month.
- 1.1.2 A consumption charge of \$10.35 applies for each additional 1,000 gallons of usage per month.

1.2 Charges for former Big Valley and Hunters Hollow service areas:

- 1.2.1 The first 2,000 gallons of usage shall be billed at \$26.83 per month.
- 1.2.2 A consumption charge of \$4.00 applies for each additional 1,000 gallons of usage per month.

2.0 PENALTY CHARGES

2.1 Delinquent Bill Penalty

Whenever any sewer rates, rentals, or charges for services remains unpaid for a period of thirty days (30) days after the same becomes due and payable, the property, the owner thereof, and the user of the service shall be deemed delinquent until such time as all service rates, rentals and charges are fully paid and shall be subject to cut off of sewer connection and service, and the discontinuation of water service.

A delinquent bill penalty of five percent (5%) of the outstanding wastewater charges shall be added to all wastewater service bills not paid by their due dates in accordance with the penalty policy in use by MSD's billing and collection agent, the Louisville Water Company, or as otherwise determined by MSD.

Pursuant to KRS 76.090, it is unlawful for any delinquent to use water from any public water service or system and discharge same into an MSD sewer.

3.0 UNUSUAL DISCHARGE FEE

- 3.1 Any business, firm or individual introducing into MSD's sewer system a substance detrimental to MSD's sewers, wastewater treatment facilities, pumping facilities or wastewater treatment processes, or which results in abnormal costs for MSD, shall be charged and shall pay the actual total costs incurred as determined by MSD.
- 3.2 Any business, firm, or individual proposing to discharge any substance that is not consistent with typical wastewater discharge in composition or flow rate to the sanitary or combined sewer system shall prepare and submit an application for such discharge. MSD will review, comment, modify, and approve or disapprove the application. MSD may charge an application review fee. MSD may also charge fees for accepting or handling the discharge including inspection, sampling, testing, and monitoring fees. Accidental discharges shall be reported to MSD at the earliest opportunity. MSD may charge field response, review, inspection, investigation, sampling, testing, monitoring, quality charges, sewer rates, and other applicable fees. MSD may pursue enforcement actions including penalties, fines, and remedial measures for failure to follow proper discharge procedures.

4.0 CONNECTION FEES

- 4.1 A property service connection is the physical connection from MSD's public sewer to the property to be served or the easement line.
- 4.2 The Connection Fee shall be equal to the actual construction cost plus a \$250.00 administrative fee.
- 4.2.1 The cost of connection must be paid prior to the installation of the connection.

5.0 CAPACITY CHARGES (TAP FEES)

Capacity fees are charged by sewer utilities to assure that customers that connect to their system pay the customer's share of sewers and treatment plants required to convey and treat their wastewater. Capacity fees defray the cost of expansions made to serve new customers and have new customers share the cost of repair or replacement of other system components needed to serve them.

Fee Calculation:

5.1 Capacity Fee for Single Family Residential Unit:

The capacity charge for a single family residential unit shall be \$5,286.00

5.2 Capacity Fee for Commercial, Industrial and Multi-Family Residential:

The capacity charge for commercial, industrial or multi-family residential users shall be estimated based on MSD's design manual and shall be \$5,286.00 per residential equivalent. A residential equivalent shall be defined as 400 gallons of usage per day.

6.0 WASTEWATER FACILITY REVIEW & INSPECTION FEES

The MSD Board may establish fees for the review and approval of plans and designs of wastewater facilities and for the inspection of the construction of wastewater facilities and the review, approval and programming of telemetry for wastewater facilities, all in accordance with KRS Section 76.085.

7.0 EMERGENCY WASTEWATER RATE ASSISTANCE PROGRAM

7.1 Definitions

For purposes of this Section only, the words or phrases below shall have the following meanings:

- 7.1.1 **Household** means an individual or group of individuals who are living together in the principal residence sharing common living arrangements
- 7.1.2 **Gross Household income** means all earned and unearned income, including lump sum payments received by a household during the calendar month preceding the month of application.
- 7.1.3 **Low-income residential customer** means a direct residential customer of MSD having a gross total household income at or below one hundred fifty percent (150%) of the official poverty income guidelines updated annually in the Federal Register by the U.S. Department of Health and Human Services under authority of 42 U.S.C. 9902(2), or who is eligible for the Low Income Home Energy Assistance Program state plan prepared by the Kentucky Cabinet for Health and Family Services, Department for Community Based Services at the time of application.
- 7.1.4 **Principal residence** means the place where the customer is living voluntarily and not on a temporary basis; the place the customer considers home; the place to which, when absent, the customer intends to return; and is identifiable from another residence, commercial establishment or institution.

7.2 Wastewater Discount

All eligible low-income residential customers may receive a ten percent (10%) discount on the wastewater charges on their sewer bill beginning August 1, 2020. The discount, known as the Emergency Wastewater Rate Assistance Program discount, shall apply to wastewater service charges, wastewater volume charges and Consent Decree surcharges.

7.3 Eligibility Criteria

The Emergency Wastewater Rate Assistance Program (“EWRAP” / “Program”) discount shall be available to low-income residential customers who:

- 7.3.1 Apply for and are approved for the discount. Customers shall provide required information upon forms and in the manner required by Program rules to certify their eligibility.
- 7.3.2 Are receiving water by separate metered water service for a property or dwelling used solely for residential purposes owned or leased by the customer as his or her principal residence.
- 7.3.3 Are named customers with MSD and are responsible for paying the sewer bill received from the Louisville Water Company for the customer’s principal residence.
- 7.3.4 Verify and certify gross household income and ownership or leasehold of their principal residence in the manner required by the Program.

- 7.3.5 Have total gross household income, when computed annually, including the income of all occupants, and regardless of age, that does not exceed 150% of the official poverty income guidelines referenced in section 17.1.3 computed annually.
- 7.3.6 Are not receiving and have not been approved to receive MSD's Senior Citizen's Discount as of the date of application for the Program.
- 7.3.7 Satisfy all other terms and conditions established by the Program for eligibility.

7.4 **Exclusions**

MSD customers, age 65 years of age or older, receiving or who have been approved to receive MSD's Senior Citizen's Discount as of August 1, 2021, shall not be eligible for the Emergency Wastewater Rate Assistance Program. MSD customers receiving MSD's Senior Citizen's Discount are disqualified from receiving the Emergency Wastewater Rate Assistance Program discount.

7.5 **LIHEAP Customer Qualification**

MSD Customers approved for the Low Income Home Energy Assistance Program (LIHEAP) state plan prepared by the Kentucky Cabinet for Health and Family Services, Department for Community Based Services at the time of application for the Emergency Wastewater Rate Assistance Program discount, shall automatically qualify for the wastewater charge discount. If a customer's LIHEAP approval is terminated or ends, however, and for any reason, the customer's automatic eligibility for the Emergency Wastewater Rate Assistance Program Discount shall also terminate or end and the customer must apply for the discount and meet the eligibility requirements set forth in Section 17.3 to qualify.

7.6 **Effective Date of EWRAP Discount**

Except as set forth in Section 17.8, the emergency wastewater rate assistance discount shall commence on the next subsequent billing date following approval of the customer's application and shall continue until July 31, 2022, conditioned upon the customer's continued eligibility.

7.7 **Program Administration**

The Executive Director or his designee may prescribe such policies, regulations and procedures, consistent with the provisions of this Section, as deemed necessary and appropriate to administer and enforce the Emergency Wastewater Rate Assistance Program.

7.8 **Program Modification / Termination**

The Emergency Wastewater Rate Assistance Program shall continue through July 31, 2022 unless earlier terminated at the discretion of MSD, and may be modified by MSD at any time.

8.0 **SENIOR CITIZENS DISCOUNT**

Senior Citizens are eligible for a 30% discount off wastewater service charges and wastewater volume charges. This discount will be made available to customers of MSD that are 65 years or older, have a gross household income of \$35,000 or less, and are the primary titleholder or leaseholder on the property subject to the bill. An application will be sent to those customers that request one and the discount shall begin on the billing period following the date that the application

is approved by MSD. In order to qualify for this discount, proof of age such as a birth certificate or driver's license must be provided. In addition, proof of income such as a Federal Income Tax Form 1040 must be provided and proof of residency such as a warranty deed or lease agreement must be provided. Customers that qualify for this discount may be asked to complete a renewal application on an annual basis or as otherwise determined by MSD.

9.0 ADJUSTMENT OF CHARGES AND APPEALS

Any owner who considers that wastewater charges applied to the owner's parcel are inaccurate or otherwise disagrees with the determination may apply to MSD's Financial Director for a rate review, stating in writing the grounds for the adjustment. The Financial Director will review the case and report findings to the Executive Director. The Executive Director shall consider the complaint and staff recommendations and determine whether an adjustment is necessary to provide for reasonable and equitable application of the charge(s).

Appeal of decisions made by the Executive Director may be brought before the MSD Board in writing with notice and substance of the appeal sent to the Board's secretary within fifteen (15) days after the owner receives the Executive Director's decision. Upon reviewing the documentation, the Board shall render a final decision.

In the event of a billing error, MSD may back bill the customer for a period of two years from the date the error was discovered and MSD will grant refunds for overbillings for a period of two years from the date it was notified of the overbilling.

10.0 SEVERABILITY

If any section, clause or provision of this amendment be declared by the courts to be invalid, the same shall not affect the validity of the amendment as a whole or any part thereof, other than the part so declared to be invalid.