

Town of Middlebourne  
211 Stealey Street  
Middlebourne, WV 26149  
304-758-4771

middlebournemunicipal@gmail.com

middlebourne.wv.gov

**LEAK ADJUSTMENT REQUEST FORM**

**TO BE COMPLETED BY CUSTOMER**

Name on Account: \_\_\_\_\_

Account Number: \_\_\_\_\_ Daytime Phone No: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Service Address: \_\_\_\_\_

Date Leak was Discovered: \_\_\_\_\_ Date Leak was Repaired: \_\_\_\_\_

Detailed Description of Leak Location: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Customer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACH PROOF THAT LEAK WAS REPAIRED!!**

**(EXAMPLES: Photos, plumber's bills/receipts, material receipts, etc.)**

(You can e-mail photos of above and completed form to [middlebournemunicipal@gmail.com](mailto:middlebournemunicipal@gmail.com))

**ALL THE ABOVE MUST BE COMPLETED AND RETURNED TO THE TOWN OF MIDDLEBOURNE WITH PROPER DOCUMENTATION OF LEAK REPAIR WITHIN ONE (1) MONTH OF LEAK DISCOVERY &/OR REPAIR. FAILURE TO COMPLY MAY DISQUALIFY THE CUSTOMER FROM ANY LEAK ADJUSTMENT. FOR MORE INFORMATION ON WHAT QUALIFIES AS A LEAK AND HOW AN ADJUSTMENT IS CALCULATED, PLEASE SEE OUR LEAK ADJUSTMENT POLICY.**

**FOR OFFICE USE ONLY**

200% Average Usage: \_\_\_\_\_ gals. Usage w/Leak \_\_\_\_\_ gals. Date of last leak adjustment \_\_\_\_\_

- |   |     |    |
|---|-----|----|
| 1) Is usage with leak at least twice (200%) historical average usage? | Yes | No |
| 2) Is the leak source eligible for adjustment?                        | Yes | No |
| 3) Was request received on time? (1 mo. from discovery/repair)        | Yes | No |
| 4) Was adequate proof provided?                                       | Yes | No |

Question 1-4 must be answered YES to qualify

Does Customer qualify? Yes No

If Yes then: Original Bill \$ \_\_\_\_\_

Adjusted Bill \$ \_\_\_\_\_

Adjusted Amount \$ \_\_\_\_\_

Employee: \_\_\_\_\_ Date: \_\_\_\_\_

## LEAK ADJUSTMENT POLICY

Effective October 27 , 2022

The Town of Middlebourne (Town) in accordance with West Virginia Public Service Commission (Commission) Water and Sewer Rule 6.4.3, effective September 14, 2021, has established the following Water & Sewer Leak Adjustment Policy. This policy shall be maintained in the Town's office for inspection by the public during normal business hours and shall be applied in a non-discriminatory manner to all customers. This policy as well as any required forms will also be available on the Town's website, middlebourne.wv.gov, under forms.

1. This policy concerns the adjustment of a customer's water and/or sewer bills where the bills are based upon metered water consumption, and the bill reflects unusually high usage which can be attributed to a leak on the customer's side of the meter.
2. No leak adjustment will be considered for Customers using less than two times (200%) of their historical usage (as defined in paragraph #7 below).
3. A water leak adjustment will not be considered for Customers using less than the minimum of 3,000 gallons of water (or the applicable minimum per the Town's water tariff in effect at the time of the leak). A sewer leak adjustment will not be considered for customers using less than the minimum of 2,000 gallons (or the applicable minimum per the Town's sewer tariff in effect at the time of the leak).
4. The Town will generally adjust the two (2) highest bills during the period the leak occurred unless unusual circumstances are clearly demonstrated by the customer. If the leak occurs and is repaired within one (1) billing cycle, then only the one (1) month of billing will be adjusted. All leak adjustments granted will be credited to the customer's account.
5. The Town must be notified by the customer as soon as possible that a leak has occurred and that an adjustment is desired. Customer must request a leak adjustment in writing by completing the required information on the Town's Leak Adjustment Form. A completed Leak Adjustment Form, including documentation (described in paragraph #7 below) must be received by the



Town within one (1) month following discovery and repair of the leak. Failure to do so will forfeit the Customer's right to a leak adjustment, unless inclement weather or unusual difficulties in locating or repairing the leak can be documented by the customer. The Town may disqualify and refuse to consider any incomplete request forms.

6. The burden of proof that the leak occurred, has been repaired and is eligible for adjustment rests solely with the Customer. The Town requires documentation of leak repairs. Types of leak documentation which will be accepted include detailed photographs of the leak and repair, copies of plumber/contractor's invoice for repairing the leak, copies of receipts for materials purchased to repair the leak, and/or a written statement detailing the materials and repairs. All such documentation shall remain the property of the Town. The Town is under no obligation to verify leak adjustment requests. The Town staff do not inspect the work that has been completed but will look for evidence of repairs and verify a leak no longer exists.
7. The Customer's average historical usage is defined as the average usage of the preceding twelve (12) months, or the actual period of service if less than twelve (12) months. If no historical usage is available, a customer has not been billed a minimum of two (2) complete billing cycles, then the Town will use the average of 4,500 gallons that the West Virginia Public Service Commission has set for a normal household. The average historical usage will not be billed at less than the minimum water and/or sewer bill for the class of service.
8. The Town reserves the right to review all leak adjustment requests and inspect to ensure the customer's service connections have been repaired according to West Virginia Code. Customer negligence in making prompt repairs to leaks may constitute discontinuance of service until the service line has been replaced and inspected by a Town representative. The Town reserves the right to refuse or limit the number of adjustments granted, based on the number of adjustments granted in the previous (12) months, the timeliness of each request or if the customer has been found negligent in making prompt repairs to eliminate the leaks from their service connection.

TOWN OF MIDDLEBOURNE  
211 Stealey Street  
Middlebourne, WV 26149  
304-758-4771  
[middlebournemunicipal@gmail.com](mailto:middlebournemunicipal@gmail.com)  
website: middlebourne.wv.gov

9. If a leak is deemed eligible for an adjustment, the Customer's bill will be adjusted in compliance with Public Service Commission's Water & Sewer Rule 6.4.3:

#### WATER

- A. Charge for 2 times (200%) average historical usage (as defined in paragraph #7 above) at the Town's water rates per the water tariff in effect at the time of the leak.
- B. Charge for usage in excess of the 2 times (200%) average historical usage (as defined in paragraph #7 above) at the applicable leak adjustment rate per the Town's water tariff in effect at the time of the leak.

#### SEWER

Water from eligible leak entered the sanitary sewer system:

- C. Charge for 2 times (200%) average historical usage (as defined in paragraph #7 above) at the Town's sewer rates per the water tariff in effect at the time of the leak.
- D. Charge for usage in excess of 2 Times (200%) average historical usage (as defined in paragraph #7 above) at the applicable leak adjustment rate per the Town's sewer tariff at the time of the leak.

Water from the eligible leak did not enter the sanitary sewer system:

- E. Any eligible leak above 2 times (200%) of average historical usage, which the Customer can prove did not enter the sanitary sewer system shall be credited at full tariff rates per the Town's sewer tariff at the time of the leak. Sewer adjustment at full tariff rate would include leaks on service line up to and entering the home including under the home. This would not include leaks in basements with floor drains unless the Customer can prove the floor drain is not connected to the sanitary sewer system.

10. If the Customer continues to experience leaks, the Town reserves the right to reject any and all future leak adjustment claims.

- I I. The Town advises its Customers that a dispute regarding leak adjustments may be taken to the Public Service Commission in the form of an informal or formal complaint.



TOWN OF MIDDLEBOURNE  
211 Stealey Street  
Middlebourne, WV 26149  
304-758-4771  
[middlebournemunicipal@gmail.com](mailto:middlebournemunicipal@gmail.com)  
website: middlebourne.wv.gov

12. The reasonableness of the Town's policy or practice with respect to the policy shall be subject to Public Service Commission review in a formal complaint proceeding.
13. The Customer will be notified if the leak is eligible for an adjustment or not.

### **Swimming Pool Adjustments From April 1 — August 31 Only**

The Town will consider making one (1) adjustment per calendar year to sewer charges for water used to fill a pool that holds no less than 3,000 gallons. Should the increased water usage carry over into a second billing cycle, adjustments will be made on both months' billings. See terms below:

- A. The pool must hold a minimum of 3,000 gallons to qualify for an adjustment.
- B. A completed Pool Filling Adjustment Form must be completed and returned to the Town within one (1) month of filling pool. This must include a current photo of the filled pool. If pool measurements are visible on the side of the pool a photo of these should be attached as well. All documentation shall remain the property of the Town.
- C. The adjustment will be calculated by the Town based upon average historical usage (as defined in paragraph #7 above) but not to exceed the maximum gallons the pool will hold based on the manufacturer or the pool dimensions and shall be credited at full tariff rates per the Town's sewer tariff at the time the pool is filled.
- D. The Town reserves the right to disqualify and refuse to consider an adjustment for any incomplete pool adjustment forms.

ALL FORMS MENTIONED ABOVE ARE AVAILABLE AT THE TOWN OFFICE OR THE WEBSITE, MIDDLEBOURNE.WV.GOV , UNDER FORMS