

835-RICR-20-00-2

TITLE 835 – NARRAGANSETT BAY COMMISSION

CHAPTER 20 – SEWER USAGE

SUBCHAPTER 00 – N/A

PART 2 – Customer Services Rules and Regulations

2.1 Purpose and Authority

These Rules and Regulations shall be referred to as Customer Services Rules and Regulations. ~~The Customer Services Rules and Regulations and~~ are intended to ensure the proper billing, dispute resolution, and collection of the sewer use fees of the Narragansett Bay Commission ("NBC"). ~~The following Customer Services Rules and Regulations are adopted by the NBC pursuant to R.I. Gen. Laws Chapter § 46-25, as amended, creating and organizing the NBC, 1 et seq.~~ In the event of future wastewater facility acquisitions and/or annexations to the NBC, the Customer Services Rules and Regulations shall become incorporated by reference therein and binding thereon, and all previous ~~Customer Services Rules and Regulations associated with customer services related to billing, dispute resolution and collection of fees~~ of said facility shall be abolished.

2.2 Applicability

NBC is authorized, created and established as a public corporation of the State of Rhode Island, having a distinct legal and fiscal existence from State government, with powers as set forth in R.I. Gen. Laws Chapters 46-25, 46-25.1 and 46-25.2, as amended, for the purposes of acquiring, planning, constructing, extending, improving, operating and maintaining publicly owned sewage treatment facilities in the ~~District~~NBC district as specifically defined therein. All users, whether directly or indirectly connected to the NBC's facilities, shall pay sewer use fees. Such fees shall include, but not be limited to, residential and non-residential consumption and fixed fees, pretreatment permit application fees, connection permit fees, sewer back-up removal fees, septic tank waste discharge fees, surcharges and other miscellaneous fees, charges and assessments as may be approved in accordance with the NBC's governing legislation. All sewer use fees shall be applicable throughout the entire ~~District~~Service Area served by the NBC and shall be in accordance with rates and fees approved by the Public Utilities Commission pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.

2.3 Definitions

A. "Abatement meter" means a meter used to monitor water flow that does not enter the NBC's facilities.

AB. "Act" or "the Act" means the Narragansett Bay Commission Act, R.I. Gen. Laws Chapters 46-25, 46-25.1 and 46-25.2, as amended.

BC. "Authorized employees" or "Agents of the commission" means a person who, by reason of his or her general position, contract, or job description with the NBC, has specific duties and responsibilities to perform on behalf of the NBC.

GD. "Authorized representative of user" ~~means:~~

1. If the user is a corporation, "authorized representative" means

~~a. — the President, a Vice-President, Secretary, or Treasurer of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for authorized to represent the corporation, or for financial purposes.~~

~~b. — The manager of one or more manufacturing, production, or operation facilities employing more than two hundred fifty (250) persons or having gross annual sales or expenditures exceeding twenty five (25) million dollars, if the authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.~~

2. If the user is a partnership, association, or sole proprietorship, an "authorized representative" means a general partner or the proprietor, or any other person authorized to represent the partnership, association, or sole proprietorship for financial purposes.

3. If the user is an agent of or representing Federal, State, or local governments, an "authorized representative" means a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility.

~~4. — The individuals described in §§ 2.3(C)(1) through (3) of this Part above may designate another authorized representative if said authorization is submitted to the NBC in writing and specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters of the company or governmental facility.~~

- ~~DE~~. "Biochemical oxygens demand" or "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure for five (5) consecutive days at twenty ~~(20)~~ degrees ~~centigrade~~Centigrade (20° C) expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- ~~EE~~. "Biologicals" means preparations made from living organisms and their products, including vaccines, cultures, etc., intended for use in diagnosing, immunizing, or treating humans or animals or in research pertaining thereto.
- ~~FG~~. "Building drain" means that part of the lowest horizontal piping within a building that carries water, wastewater, or stormwater to a building sewer.
- ~~GH~~. "Building sewer" or "house connection" means the extension from the building drain to the public sewer or other place of disposal. ~~Also referred to as "house-connection."~~Where authorized, the building sewer may service one (1) building or multiple buildings in the situation of associations, i.e. condominiums with shared appurtenances.-
- ~~HI~~. "Chemical oxygen demand" or "COD" means a measure of the amount of oxygen required to oxidize organic and oxidizable inorganic compounds in water.
- ~~IJ~~. "Color" means the optical density at the visual wavelength of maximum absorption, relative to distilled water, one hundred percent (100%) transmittance is equivalent to zero (0.0) optical density.
- ~~JK~~. "Combined sewer" means a sewer intended to receive and convey both wastewater and surface runoff from storms.
- ~~L~~. "Compound meter" means a two (2) dial meter with one (1) meter measuring water only used as a fire supply.
- ~~KM~~. "Discharge" means the introduction of water, wastewater, and/or pollutants into the NBC's facilities from any source.
- ~~L~~. ~~"District" or "Narragansett Bay Commission District" shall be defined by R.I. Gen. Laws § 46-25-3(5), as amended.~~
- ~~MN~~. "Direct connection" means the connection of a building sewer directly to ~~a sewer owned by the NBC~~NBC's facilities.
- ~~NO~~. "Executive director" means the Executive Director of the Narragansett Bay Commission or his or her designee.
- ~~OP~~. "Facility" or "Facilities" (See "Wastewater facilities" definition).

- PQ.** "Garbage" means, but is not limited to, the wastes resulting from the handling, preparation, cooking and serving of food, and from the handling, storage, and sale of produce.
- QR.** "Indirect connection" means a building sewer connection that is not a direct connection and whose wastewater discharge shall, notwithstanding the passage in its normal course through other sewers or conduits, ultimately discharge in whole or in part through the ~~NBC's sewers~~ NBC's facilities.
- S.** "Input meter" means a meter that measures the volume of water entering a property.
- RT.** "May" ~~is~~ means permissive.
- SU.** "Medical waste" means any solid waste that is generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals.
- TV.** "Municipality" means any city, town, State authority, or sewer district that discharges wastewater into the ~~sewers~~ facilities owned by the NBC.
- UW.** "Narragansett Bay Commission" or "NBC" for the purposes of this Part shall be construed to mean the Narragansett Bay Commission in its capacity as a public corporation or acting through its authorized employees and agents.
- X.** "Output Meter" means a meter that measures the amount of flow that is discharged into the NBC's facilities.
- Y.** "Owner" or "Operator" means any person who owns, leases, operates, controls, or supervises a source.
- WZ.** "Person" means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, municipality, any local, State or Federal agency, or any other legal entity, or their legal representatives, agents, or assigns.
- XAA.** "pH" means the logarithm (to the base ~~ten (10))~~ ten (10) of the reciprocal of the hydrogen ion concentration in moles per liter (m/l) of solution. Neutral wastewaters are numerically equal to seven (7), the number increases to show increasing basicity and decreases to show acidity.
- YBB.** "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemicals wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or

discarded equipment, rock, sand, cellar dirt, and agricultural and industrial waste that ~~affects~~affect the characteristics of wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, odor).

ZCC. "Pretreatment" or "Treatment" means the reduction or elimination of pollutant properties in wastewater or their alteration to a less harmful state thereby rendering them less harmful to the facilities prior to or in lieu of discharging or introducing such pollutants into the NBC's facilities. The elimination, reduction, or alteration can be accomplished by physical, chemical, or biological processes, process changes, or by other means, except as prohibited by 40 C.F.R. § 403.6(d).

AADD. "Public Utilities Commission" or "PUC" means ~~at~~the quasi-judicial tribunal as defined by R.I. Gen. Laws ~~Chapter~~§ 39-1, ~~as amended-1~~ et seq.

BBEE. "Sanitary sewer" means a sewer that is designed to carry liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not discharged intentionally.

~~CC~~. ~~"Sewage" means any combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants, institutions, and governmental facilities that are discharged to the sewer.~~

~~DD~~. ~~"Septage" means the liquid, solid, and gaseous contents of a septic tank.~~

EEFF. "Septic tank" means an underground tank used for the disposal of wastes.

GG. "Service Area" means those cities and towns contemplated in R.I. Gen. Laws § 46-25-3(5) and any portion(s) thereof whose wastewater collection and treatment systems are serviced by the NBC, and any other city, town or district serviced by the NBC.

HH. "Sewage" means human excrement and gray water (i.e. household showers, dish washing operations, etc.).

FFII. "Sewer" means a pipe ~~or~~, conduit, and/or other appurtenance ~~provided, typically~~ underground, designed to ~~carry~~transport wastewater and/or stormwater.

GGJJ. "Sewer use fee" means a charge levied on users for the availability and/or use of the wastewater treatment and collection system. Such fees shall include, but not be limited to, residential and non-residential consumption and fixed fees, pretreatment permit application fees, connection permit fees, sewer back-up removal fees, septic tank waste discharge fees, surcharges and other

miscellaneous fees, charges, and assessments as set by the NBC and approved by the PUC pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.

HHKK. "Shall" ~~is~~ means mandatory.

HLL. "Sludge" means the solids, residues, and precipitate separated from or created in wastewater by the unit processes of a publicly owned treatment works ~~or,~~ industrial pretreatment system system or water treatment or purification process.

JJMM. "Source" means any building, structure, facility, or installation from which there is or may be the discharge of pollutants.

KKNN. "Stormwater" means surface water and any other source of run-off. It is normally collected in sewers separate from the sanitary sewers and receives minimal, if any, treatment prior to discharge to receiving waters, except in the case of combined sewers, wherein it will receive treatment at the ~~NBC~~ NBC's facilities.

LLOO. "Surface water" means ~~storm water~~ stormwater or other wash water or drainage carrying any pollutants that affect the characteristics of wastewater.

MMPP. "Total suspended solids" or "TSS" means:

1. ~~l~~ insoluble solids that either float on the surface or are suspended in water, wastewater, or other liquids;
2. ~~S~~ solid organic or inorganic particles (colloidal, dispersed, coagulated, flocculated) physically held in suspension by agitation or flow or;
3. ~~T~~ the quantity of material removed from wastewater in a laboratory test, as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

QQ. "True-up bill" means the bill showing amounts needed to bring account current following an estimated bill or meter reading.

NNRR. "Turbidity" means a condition in water or wastewater caused by the presence of suspended matter, resulting in the scattering and absorption of light rays and determined by measurement of light diffraction, usually reported in arbitrary turbidity units.

OOSS. "User" means any person, firm, corporation, government, or other entity that discharges, causes, or permits the discharge of wastewater or stormwater into the NBC's facilities.

PPTT. "Wastewater" means all the spent water of a community. It may include, but not be limited to, a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, institutions, and governmental facilities whether treated or untreated together with any groundwater, surface water, and stormwater that may be present, which are contributing to the NBC's facilities.

QQUU. "Wastewater facilities" means the structures, equipment, and processes required for the collection, treatment, and disposal of wastewater and sewage sludge that are owned and operated by the NBC.

RRVV. "Well" means the method of the input water service to a property that is not connected to a public water supply.

SSWW. The Definitions in § 2.3 of this Part are limited only to this Part and not any other Rules and Regulations in existence or promulgated by the NBC in the future.

2.4 Consumption and Fixed Sewer Use Fees

Consumption and fixed sewer use fees shall be assessed against the recorded owner of any property directly or indirectly connected to the NBC's facilities. This includes any property having a sewer system that may be served by a combination of both the public sewers and a private system (i.e., septic) where the sewer system is NBC's facilities are available to the structure by direct or indirect connection. Said owner shall be and is hereby deemed to be in control of such direct or indirect connection and is deemed to be a user, either actually or constructively, of the NBC's facilities.

2.5 Residential Consumption Sewer Use Fees

A. The following types of users shall be classified as "residential sewer users" and assessed a consumption sewer user fee in accordance with rates set by the NBC and approved by the PUC in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3, as amended:

1. All structures containing six (6) residential dwelling units or less.
2. All residential condominiums regardless of the number of dwelling units per structure and/or meter.

2.6 Non-Residential Consumption Sewer Use Fees

A. All structures not classified as residential under § 2.5 of this Part shall be classified as non-residential users and assessed consumption fees in

accordance with rates set by the NBC and approved by the PUC ~~in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.~~ The non-residential structures are classified as follows:

1. Commercial ~~—~~ shall include any structure conducting a service business. This shall include, but not be limited to:
 - a. Residential structures with greater than six (6) dwelling units;
 - b. Office buildings;
 - c. Mixed-use structures combining residential and non-residential uses. Any residential structure containing a commercial use, such as a business or office, shall be considered a mixed-use structure and will be billed at the commercial rate;
 - d. Halfway houses and/or boarding type facilities where unrelated persons rent rooms;
 - e. Hospitals;
 - f. Commercial Laundromats;
 - g. Dry cleaners;
 - h. Restaurants;
 - i. Colleges and schools;
 - j. Hotels;
 - k. Nursing homes;
 - l. Retail and wholesale stores; or;
 - m. Any other non-industrial or non-residential structure.
2. Industrial – shall include any structure engaging in:-
 - a. ~~engaging in~~ Ithe manufacture, processing, or packaging of a product or component of a product; or
 - b. Industrial laundering; or
 - ~~b~~c. The development, recovery, or processing of natural resources. This shall include, but not be limited to:

- (1) Platers;
- (2) Metal fabricators;
- (3) Syrup, soup and wine canners or producers;
- (4) Meat packing facilities; or,
- (5) Mixed-use structures. Where an industrial use is combined with a commercial use it shall be billed at the commercial rate, for example, where there is an office in a manufacturing plant.

B. The definitions of commercial and industrial as used herein are limited to the establishment of non-residential consumption sewer user fees- and are unrelated to a user's classification as a permitted industrial or commercial user for purposes of the NBC's pretreatment program.

2.7 Fixed Fee Based Sewer Use Fees

- A. Fixed fees shall be rendered to property owners in accordance with annualthe rates set by the NBC and approved by the PUC in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3, as amended:
1. Residential – Each dwelling unit of a structure shall be assessed a fixed fee per annumin accordance with rates approved by the PUC, regardless of whether or not each unit is occupied.
 2. Residential Well Customers – Each dwelling unit of a structure shall be assessed a fixed fee per annum only in accordance with rates approved by the PUC.
 3. Non-Residential – Each structure shall be assessed a fixed fee based upon the size of each input water meter(s) and/or output meter(s) in accordance with rates and Terms and Conditions approved by the PUC.
 4. Vacant Property – Vacant property shall be subject to fixed fees as noted in §§ 2.7(A)(1), (2), and (3) of this Part unless and until the NBC staff confirms that the water service has been terminated or a dwelling unit is uninhabitable (deemed to have no plumbing fixtures). It is the property owner's duty to notify the NBC that the property is vacant or uninhabitable. Credit for non-usage, if any, shall be given from the date of the NBC's inspection.

5. Customers served by compound meters will be assessed a fixed fee based on the size of the domestic use dial in accordance with rates and Terms and Conditions approved by the PUC.

2.8 Consumption Based Sewer Use Fees

A. Consumption based fees shall be rendered to property owners as usage data is made available by the public water supplier or any other metered water source in accordance with rates approved by the PUC.

1. Basis for Consumption Fees

a. Consumption fees shall be based upon of the volume of water entering the structure from a public water supply agency, non-residential private well, ~~stormwater connection~~, steam facility, or other source. The consumption rate ~~provides for an automatic~~ assumes fifteen percent (15%) ~~reduction in~~ of the measured water usage ~~as consumed and is~~ not discharged to the ~~NBC~~ NBC's facilities. All water sources must be metered except for residential private wells ~~that are billed a fixed fee for consumption~~. Where a property is not metered at the water source entering the structure, or where a property is metered at the water source entering the structure but there is ~~a discharge~~ an output meter, consumption fees shall be based upon the volume of metered wastewater discharged directly or indirectly into the NBC's facilities. The ~~use~~ user fee rate for discharges from such properties ~~will not be adjusted by fifteen percent (15%). No meter~~ shall be ~~installed or used without~~ charged in accordance with the approval of rate and method set forth in Terms and Conditions approved by the PUC. Installation and use of an output meter must be approved by the NBC's Executive Director or his/her designee. Consumption charges for compound meters shall be based upon metered water usage of the domestic use dial.

2. Estimated Bills

a. The NBC receives ~~its~~ meter reads readings for its customers from ~~the~~ various public water suppliers. When actual water meter readings do not exist, accounts will receive an estimated bill based on previous usage. Any variance due to estimated reads will be corrected when an actual read is obtained. Estimated bills may result in a customer overpayment resulting in a credit or under billings resulting in a ~~catch~~ true-up bill.

3. Back Retroactive Bills

_____ a.—Although a customer is indirectly or directly connected to the NBC's ~~sewer system facilities~~, there may be instances where the NBC is not billing such property. In such instances, upon NBC's identification of an unbilled account, the customer may be ~~back~~retroactively billed for a three (3) year period for flat fees in effect for those service periods and for consumption fees in effect for those service periods based on ~~the~~ meter readings supplied by the public water supplier. Where meter readings are unavailable from the public water supplier for the prior three (3) year period, the consumption for that period will be estimated based on actual reads taken subsequent to identification of the account.

4. Surcharges

_____ a.—Surcharges shall be rendered to property owners in accordance with rates ~~set by the NBC and approved by the PUC in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3.~~

2.9 Use Fee Abatements

A. Abatement Policy

_____ 1.—The NBC has established a use fee abatement program whereby a property owner may apply for an adjustment to the water consumption used in the calculation of the consumption charge if they believe that more than fifteen percent (15%) of the source water does not discharge into the ~~sewer system-NBC's facilities~~. Abatements are granted for only that percentage of water exceeding the fifteen percent (15%) allowance and are effective from the approval date forward ~~(not retroactive to cover previous usage)-and are~~ calculated in accordance with Terms and Conditions approved by the PUC. No retroactive abatements will be granted.

B. Abatement Application Procedure

1. The property owner is required to:
 - a. Complete a Sewer Use Abatement Application form;
 - b. Pay an application fee in accordance with rates approved by the PUC;
 - c. Sign a Terms and Conditions Agreement with the understanding that violation of said Terms and Conditions Agreement will result in the suspension of the abatement status;

- d. Reapply in order to reactivate such status if the abatement allowance is suspended for any reason;
 - e. Obtain NBC approval prior to any abatement meter installation;
 - f. Pay for all costs associated with meter installation and maintenance;
 - g. Supply ~~the~~ NBC personnel with annual or quarterly (as defined in the Terms and Conditions Agreement) readings from all meters located on the property. If said readings are not supplied to the NBC, the abatement status will be suspended indefinitely; and
 - h. Provide/Ensure meters ~~that~~ are reasonably accessible for inspection by the NBC staff.
2. Sewer Use Fee Abatement Application forms and the associated Terms and Conditions Agreement will be available on NBC's website and will also be provided by the NBC's Customer Service Department upon request.

2.10 Leaks

Adjustments for leaks may be granted where it has been determined that a property was billed for water that did not enter the ~~sewer system~~ NBC's facilities during a specific time period. The customer shall contact the NBC within thirty (30) days of discovery of the leak and provide documentation from a licensed plumber supporting the occurrence and repair of the leak, along with a copy of the paid repair receipt. Said repairs must be completed within fifteen (15) days of notification to the NBC of said leak. The average usage for the property will be determined by meter readings obtained during subsequent site visits conducted by ~~the~~ NBC staff. This average will be compared to the period in question, including seasonal considerations, to establish whether or not an adjustment is warranted. Customers seeking an adjustment must stay/be current on payment of all charges not in dispute.

2.11 Meter Testing and Failures

- A. A meter tests one hundred percent (100%) if after testing it conforms to the American Waterworks Association's standards or any meter testing standard approved by the PUC pursuant to R.I. Gen. Laws § 39-3-9, as amended. If a meter tests one hundred percent (100%), there shall be no adjustment to a customer's bill except where a bill has been estimated, in which case the bill will be adjusted based on the meter read out.

1. Meter Repaired or Replaced

- a. When a meter is removed for testing or repair and it does not test one hundred percent (100%), the customer shall notify the NBC in writing. In that instance, the bill shall be issued based upon the average daily rate of water consumption or discharge as shown by the meter for a ninety (90) day period after the meter has been returned to service and is in proper working order or after the meter is replaced. Any dispute of an estimated bill must be made within six (6) months of notification to the NBC that said failed meter has been repaired or replaced.
- b. If a meter has not been returned to service or replaced within thirty (30) days after removal, the bill shall be issued based upon the average daily rate of water consumption or discharge for the previous two (2) year period. Failure of a customer to replace or repair a meter shall result in consumption bills based upon estimated readings until such time as the meter is repaired or replaced.

2. Dead Meter or Meter Unable to be Read

- a. If a meter fails to register any flow at all (i.e., dead meter), or if a meter is unable to be read, and has been in thisuch condition for more than ninety (90) days, the bill shall be issued based upon one (1) or more of the following factors:
 - (1) Estimated meter readings provided by the water supplier;
 - (2) Estimated consumption that is comparable for a property of the same classification and occupancy;
 - (3) After replacement of the meter, the average daily consumption or discharge as shown by the new meter for the ninety (90) day period following replacement, plus seasonal considerations.

2.12 Pretreatment Fees

~~The user shall be assessed pretreatment fees in accordance with rates set by the NBC and approved by the PUC in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.~~

~~2.13 Sewer Connection Fees~~

~~The customer shall be assessed sewer connection fees in accordance with rates set by the NBC and approved by the PUC, in accordance with R.I. Gen. Laws Chapters 39-1 and 39-3, as amended. Connection fees are payable at the time of application for a connection permit.~~

~~2.14 Back-Up Removal Fees~~

~~When the NBC personnel clear a sewer blockage and where such blockage is determined to be a private sewer, a sewer back-up removal fee as approved by the PUC, pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as amended, shall be paid by the customer.~~

~~2.15 Septage Fees~~

~~Septage haulers shall establish a credit balance with the NBC prior to arrival at the NBC's designated septage disposal facility and will pay the rates set by the NBC as approved by the PUC, pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.~~

2.122.16 Other Sewer Use Fees, Including Miscellaneous Fees, Charges, Surcharges, and Assessments

~~Users shall pay any other sewer use fees, including~~A customer may be assessed miscellaneous fees, charges, surcharges and assessments, including, but not specifically mentioned in this Part, limited to, a Pretreatment Permit Application Fee, Sewer Connection Permit Application Fee, Capacity Charge, Sewer Back-up Removal Fee, Abatement Application Fee, or a Real Estate Closing Fee as set forth in the NBC and rates approved by the PUC, pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as . These fees and charges may be amended or deleted from time to time.

~~2.17 Closings~~

2.13 Changes in Property Ownership

When a property that is either directly or indirectly connected to the NBC's facilities is sold, the ~~NBC requires that~~property owner, property purchaser or their legal representative must provide a current water meter reading ~~be provided~~(obtained within seven (7) days of the closing date) to NBC Customer Service at least two (2) business days prior to the sale. The NBC will not make any adjustments to ~~the~~ consumption bills due to the failure of the requesting party to provide an accurate meter ~~readings~~reading at the time of the closing request.

The NBC will not become involved in any disputes arising from inaccurate meter readings or estimated consumption charges when readings are not provided and/or the meter is malfunctioning. The new owner is responsible for all charges that remain unpaid after the closing date on the account, including those charges that originated on the account prior to said ownership change.

2.1814 Disputes

A. Dispute Procedure

1. If a customer believes that a specific charge on the sewer bill is incorrect, he or she must contact the NBC's Customer Service Department via telephone, e-mail or in writing to dispute the charge. While a particular charge is in dispute, late charges will not accrue against the disputed transaction and the NBC will not attempt to collect that specific amount. TheWhile the dispute is researched, the customer is required to pay the undisputed portion of the bill, and all new charges. The right to dispute a bill is personallimited to the person assessed and it is not assignable or transferable.

B. Appeals

1. If a customer is unable to satisfactorily resolve the-their billing dispute with the NBC, after following the dispute procedures set forth in § 2.14(A)(1), he or she may refer the matter to the PUC in accordance file an appeal with the NBC within three (3) years from the date the disputed fee, charge or assessment became due and payable on their account. All such appeals must be made no later than six (6) months after the transfer of the property to a third (3rd) party. The customer also has the right to file a petition with the Superior court for the county in which the property lies within sixty (60) days following a final decision issued by the NBC regarding any appeal. R.I. Gen. Laws Chapter 39-1, as amended, by telephone or in writing for dispute resolution. While a dispute is under consideration by a PUC Review Officer, the NBC will cease collection action to obtain payment for the disputed charge(s).

2.159 Adjustments

Corrections to sewer user fees, whether debit or credit adjustments, shall be processed by the NBC no more than three (3) years from the date of the original billing transaction. Adjustments are corrections to inaccurate charges and are not restricted to any type of sewer use fee or use classification and shall be issued without bias in accordance with the rates and fees approved by the PUC. All corrections must be fully documented and are subject to the NBC authorized approval prior to processing. Adjustments, whether debit or credit adjustments, shall be limited to three (3) years from the date of the original billing transaction

with the exception of charges assessed against a property determined to be non-sewered, in which case the adjustment period shall be limited to the period of time when the property has been owned by the current owner, and transaction and payment records are available and provided to the NBC. Adjustments for mis-applied payments shall be limited to a three (3) year period from the date of said payment.

2.2016 **Payment**

A. Payment Terms

1. All sewer use fees ~~shall be~~ due and payable upon receipt, unless due earlier as provided in this Part or as approved by the PUC. Customers may make payment ~~via cash, personal check, bank check, credit card, money order, or by any other method approved by Customer Service.~~ There will be a fee and such payments are subject to any fees and charges as approved by the PUC ~~applied directly to the customer's account for returned checks. Customers who wish to pay in person may do so at the NBC's Customer Service Office or they may pay in full at the financial institution listed on the back of the NBC bill.~~ Sewer use fees not paid within thirty (30) days after ~~issuance of the bill~~ billing date shall be deemed to be overdue and delinquent. All delinquent bills shall be subject to ~~a late~~ charge charges in accordance with ~~a rate~~ rates approved by the PUC ~~pursuant to R.I. Gen. Laws Chapters 39-1 and 39-3, as amended.~~

B. Payment ~~Plans~~ Arrangements

1. If a customer is unable to pay ~~the~~ a sewer bill by the due date, he or she may contact Customer Service and request a payment arrangement for past due balances. The standard ~~budget payment arrangement~~ terms are require fifty percent (50%) of the past due balance to be paid immediately, with the remaining balance payable in thirty (30) days or in two (2) subsequent equal monthly installments. Current charges and late charges must be paid in addition to the ~~budget payment arrangement~~ amount. ~~Management~~ NBC management may approve longer budget payment arrangement terms.

2.2117 **Sewer Use Fee Liens, Water Termination, and Collection Actions**

All ~~overdue sewer use fees~~ unpaid charges shall be a lien upon the real estate of said user. All such ~~sewer use fees not paid~~ unpaid charges shall be subject to collection procedures in accordance with R.I. Gen. Laws §§ 46-25-22 and 46-25-22.1, as amended. Collection action may include, but is not limited to, termination

of water service and/or sale of property lien at public auction. The customer shall be responsible for any administrative fees associated with water shut off as well as court costs and any other collection fees or costs, plus attorneys' fees incurred by the NBC in any collection proceeding initiated in order to collect outstanding fees, charges, and assessments owed.

2.2218 Maintenance and Repair

Where a property utilizes a meter that is not provided by a public water supplier, the property owner shall be responsible for all costs associated with the meter installation, calibration, maintenance, and repair.

2.2319 Titling of Accounts

All consumption accounts will be titled in the name of the recorded property owner. ~~All pretreatment accounts shall be in the name of the user.~~

2.2420 Interpretation of Requirements

A. Construction

1.—The provisions of this Part with respect to the meaning of technical terms and phrases shall be interpreted and administered by the Executive Director.

B. Captions

1.—Captions and headings are for reference only and shall not limit or otherwise affect the meaning of the paragraphs thereunder.

C. Severability

1.—If any provision of these Customer Services Rules and Regulations or the application thereof to any person or circumstances is held invalid by a court of competent jurisdiction, the remainder of the Customer Services Rules and Regulations shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections shall not affect the validity of the remainder of these Customer Services Rules and Regulations.