

Clay Battelle Public Service District (CBPSD)

Refusal to Serve Water Applicant Policy & Access to Property

As of April 6, 2022, Board Approval

CBPSD may refuse the service to any water service applicant in the following situations:

“6.9.1: Non-compliance with rules- any utility may decline to serve an applicant until he has complied with these rules (150CSR7) and the Commissions approved utility’s rules set forth in a Commission (WVPSC) approved tariff governing water service.”

“6.9.2: Applicant’s facilities inadequate- The utility may refuse to serve an applicant if, in its judgment the applicant’s installation of piping equipment is regarded as hazardous or of such character that satisfactory service cannot be provided.”

“6.9.3: A bill which has been found to be contractually uncollectible by a court or could reasonably be found to be uncollectible by reason of an applicable statute of limitations shall not be used by a utility to deny or discontinue service.”

If an existing bill is found at time of application or after in the name of the applicant or another person in the same household and has not been deemed uncollectible; CBPSD will refuse service until such time the bill is paid (including any collection/court fees) or if is discovered after service is turned on; the amount will be added to the account balance.

“6.9.4: Applicant’s recourse- In the event that the utility refuses to serve an applicant under the provisions of this rule, the utility must inform the applicant that the applicant may file a complaint with the Commission for decision.”

6.9.5: In the case of an extension planned by the utility where the utility has received applications for service and accepted the tap fee from the applicant(s) but afterward determine the extension is not feasible- then the tap fee will be returned to the applicant(s) immediately.

If the applicant has verbally or physically threatened CBPSD staff/representatives with threats or acts of harm to person(s) or property.

“6.11.1: The utility shall at all reasonable times have access to meters, service connections and other property owned by it on customer’s or potential customers premises, for the purpose of maintenance and operation. Neglect or refusal on the part of the customers to provide reasonable access to meters, service connections and other property owned by the utility for the above purposes shall be deemed to be sufficient cause for discontinuance (or refusal) of service.”

Notation: The above referenced rule numbers could change periodically as deemed necessary by the WVPSC. If reference numbers or language changes- the new language/numbers apply.