

**SOUTH CAROLINA
OFFICE OF REGULATORY
STAFF**

Water and Wastewater Workshop

2013



Frequently Asked Questions

- What are ORS's functions? DHEC's? PSC's?
- How often can I file for a rate increase? How long does it take?
- Do I have to have an attorney to file the paperwork with the PSC?
- Why does ORS conduct site visits? How often does ORS visit?
- What is ORS looking for at the plant?
- What kinds of records should I keep?
- Why do we have to submit an annual report, performance bond, and gross receipt?
- What happens if I don't file them?
- Who do I contact if I no longer want to maintain or be responsible for the system?
- What are the rules for disconnecting non-payers? How do I notice the customers?
- What are my collection options?



What are ORS's functions? DHEC? PSC?



ORS: Ensure that water/wastewater utilities are adhering to the PSC regulations – ORS is NOT the PSC. (“investigators”)



DHEC: Oversee the environmental safety of utilities



PSC: To rule on rate cases – PSC is NOT the ORS (“Judges”)

How often can I file for a rate increase? How long does it take?



A utility may file for an adjustment in rates once every 12 months after the schedule is filed with the commission(58-5-240(F))



It takes approximately 6 months from the time the Application for an adjustment in rates is submitted to the PSC until a final Order is issued from the PSC. (58-5-240(C))



Do I have to have an attorney to file the paperwork with the PSC?

No. However, you are required to retain an attorney to represent the utility before the PSC.



Why does ORS conduct site visits? How often does ORS visit?



Why? To ensure the utility is compliant with PSC regulations (proper notices, facilities in working order, etc.)



When? ORS will try to visit each utility on a 3 year rotation. If the utility has filed a rate Application, ORS will be conducting a site visit to help us prepare for our testimony.

What is ORS looking for at the plant?

Examples:

- Warning signs on fences, wellhouses, etc.
- System (ie: lift stations, aerators, etc.) are in proper working order
- No extreme odors at the plant
- Effluent is properly being disposed and water is clear/odor free
- No leaks in the system
- Condition of the equipment (tanks, pumphouses, fences, pumping equipment, etc.)



What kinds of records should I keep?

Plant ledgers (cost of plant, continuing plant inventory ledger, work orders, etc.)

Log of customer complaints & the resolution to those complaints

Maps of system

Number of and length of service interruptions

Customer Deposits – amount and date of deposit

Disconnects/denials of service and why

Current tariff



Why & when do we have to submit an annual report, performance bond, and gross receipt?

Annual Report: Reg. 103-512.1 & 103-712- PSC requires all utilities to file an annual report no later than April 1 (calendar year) or 3 months after end of the utility's fiscal year. Gives the PSC financial update on the utility.

Performance Bond: Reg. 103-512.3 & 103-712.3- Assures the PSC that the utility is financially safe in the event the company fails or is unable to continue to provide service. Due yearly.

Gross Receipt: 58-4-60. Due August 31 for period of July 1 – June 30.



What happens if I don't file the reports?

Failure to submit the required form may result in a Rule To Show Cause to be filed before the PSC requesting that the utility cease charging customers or be fined.



Who do I contact if I no longer want to maintain or be responsible for the system?

Contact (In Order):

1- Utility's attorney

2 - DHEC

3 - ORS

4 - Potential Buyers (City, County, HOA's, other IOU's)



What are the rules for disconnecting non-payers? How do I notice the customers?

Regs. 103-535 and 103-735.1 outline reasons for termination of service, including:

- Non-payment
- Unauthorized use/tampering
- Failure to provide utility with deposit (if required)
- Failure to allow utility access to its equipment

NOTICING:

WW- 30 days certified notice; cc county health dept, ORS; second notice by certified mail advising not less than 10 days or greater than 30 days the service may be discontinued. NOTIFY DHEC/ORS AFTER DC'N

W – 10 day notice advising the service may be discontinued.



What are my collection options?

You may go through a collection agency or file a claim in the county magistrate court . To find the appropriate magistrate go to the SC Bar website:

scbar.org/PublicServices/LawLine/Findingtheappropriatemagistrate

To determine if your claim can be heard by the county magistrate visit this website:

scbar.org/PublicServices/LawLine/MagistratesSmallClaimsCourt.aspx



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