

Arbuckle Public Utility District

Policy on Discontinuing Residential Water Service for Nonpayment

(Effective December 14, 2023)

1. **Application.** This Policy on Discontinuing Residential Water Service for Nonpayment (the “Policy”) governs the discontinuation of residential water service for nonpayment of delinquent service charges only. The Arbuckle Public Utility District’s (the “District”) existing policies and procedures for non-residential water service accounts and discontinuation of residential water service for other reasons, such as customer violations of District policies, shall remain in effect. This Policy is established in compliance with Health & Safety Code §§ 116900-116926 (the “Water Shutoff Protection Act”) and shall control in the event that it conflicts with any other District ordinance, regulation, rule, or policy.

2. **Contact Information.** For questions or assistance regarding your bill, or to discuss options for averting discontinuation of residential service for nonpayment, please contact the District at (530) 476-2054. Customers may also visit the District office, located at 104 5th St., Arbuckle, CA 95912, Monday through Friday from 9:00 a.m. to 4:00 p.m. (except on District holidays).

3. **Availability of District Policy.** This Policy is available on the District website at <https://arbucklepubd.org/customer-service>. This Policy and any written notice given under this Policy shall be made available in English, Spanish, Tagalog, Chinese, Vietnamese, and Korean, and in any other language that is spoken by at least 10 percent of people residing in the District service area.

4. **District Billing and Payment Procedures.** Bills for water service are mailed out on a monthly basis, billed in advance. All bills are due and payable before or on the tenth (10) business day of the month. If payment is not received in the office by 4:00 p.m. or postmarked by the due date, the District will apply a late fee of \$10.00 to the account.

5. Discontinuation of Water Service for Nonpayment.

- a. **Delinquent Bill.** Bills for water service will become delinquent thirty (30) days after the billing date. If a bill is delinquent for 60 days or more, the District may discontinue water service.
- b. **Delinquency Period.** Pursuant to the Water Shutoff Protection Act, the District will not discontinue residential water service for non-payment until a payment by a customer has been delinquent for at least sixty (60) days.
- c. **Notification.** The District shall contact the customer named on the account by telephone or written notice no less than seven (7) business days before discontinuing the residential service for nonpayment (“7-day Notice”). The District will mail the 7-Day Notice to the mailing address on the account. The

District will make a reasonable, good faith effort to contact the customer in writing or over the phone.

- i. Written Notice Contents. If the District notifies the customer in writing, the written notice shall include:

1. The customer's name and address;
2. The amount of the delinquency;
3. The date by which payment or arrangement for payment is required to avoid discontinuation of residential service;
4. A description of the process to apply for an extension of time to pay the delinquent charges;
5. A description of the procedure to petition for bill review and appeal;
6. A description of the procedure by which the customer can request a deferred, reduced, or alternative payment schedule, including an amortization of the delinquent residential service charges;
7. The District's phone number and a link to the District web page with this Policy.

- ii. Telephone Notification Contents. If the District notifies the customer by telephone, the District shall offer to provide the customer a written copy of this Policy. The District shall also discuss options available to avoid discontinuation of residential services for nonpayment, including, but not limited to, deferred payments, alternative payment schedules, minimum payments, procedures for requesting amortization of the unpaid balance, and a petition for bill review and appeal.

- d. Posting of Notice at the Service Address. If the District is unable to contact the customer or an adult occupying the residence by telephone, and the written notice is returned through the mail as undeliverable, the District shall make a good faith effort to visit the residence and leave a notice of imminent discontinuation of residential service for nonpayment and a copy of this Policy in a conspicuous place, no less than seven (7) business days before discontinuation.

- e. Payment Deadline to Avoid Discontinuation. To avoid discontinuation of residential service for nonpayment, payment for the full amount of the delinquency must be received at the District Office no later than 4:00 p.m. on the due date specified in the written notice.

6. Circumstances Under Which the District Will Not Discontinue Residential Services.

- a. The District shall not discontinue residential services if ALL of the following conditions are met:

- i. The customer, or a tenant of the customer, submits to the District the certification of a primary care provider, as that term is defined in

subparagraph (A) of paragraph (1) of subdivision (b) of Section 14088 of the Welfare and Institutions Code, that discontinuation of residential service will be life threatening to, or pose a serious threat to the health and safety of, a resident of the premises where residential service is provided.

- ii. The customer demonstrates that he or she is financially unable to pay for residential service within the District's normal billing cycle. The customer shall be deemed financially unable to pay for residential service within the urban and community water system's normal billing cycle. This includes:

- 1. If any member of the customer's household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children; or
- 2. The customer declares that the household's annual income is less than 200 percent of the federal poverty level.

- iii. The customer is willing to enter into an amortization agreement, alternative payment schedule, or a plan for deferred or reduced payment, with respect to all delinquent charges.

- b. Appeals Process. The District shall not discontinue residential services during the pendency of a customer appeal.

- c. Dates. The District shall not discontinue residential services on a Saturday, Sunday, legal holiday, or outside of the District's normal operating hours.

7. **Plan for Deferred or Reduced Payments.** Customers may request that the District provide an extension of time for submitting their water service payment or request a reduced payment. Customers must make the request over the phone or in writing by the date the District is scheduled to discontinue residential water service for nonpayment.

- a. Extension. If the District approves, a customer's repayment of his or her unpaid balance can be extended for a period not to exceed six (6) months after the due date of the original balance. The District will determine the length of the extension. The customer must pay the full balance by the date set by the District and remain current on all water service charges accruing during subsequent billing periods.
- b. Reduced Payments. At the District's discretion, the District may reduce a customer's unpaid balance for water service. The amount of the reduced payment and the due date of the remaining balance will be set forth in writing.

8. **Alternative Payment Schedules.** Customers unable to pay for water service in the normal payment period may request an alternative payment schedule to avoid fees and disruption

of service. Customers must make the request over the phone or in writing by the date the District is scheduled to discontinue residential water service for nonpayment. Following are the alternative payment schedule options.

a. Alternative Payment Schedule.

- i. If approved by the District, a customer may repay his or her unpaid balance pursuant to an alternative payment schedule that will not exceed twelve (12) months, as determined by the District. The District will work with the customer to develop the schedule.
- ii. The alternative payment schedule may allow periodic lump-sum payments that do not coincide with the District's established payment date or may provide for payments made more or less frequently than the District's regular payment date.
- iii. The alternative payment schedule and amounts due shall be set forth in writing and provided to the customer.
- iv. During the alternative payment schedule period, the customer must comply with the alternative payment schedule and remain current on all water service charges accruing during subsequent billing periods.
- v. If the customer fails to comply with the alternative payment schedule or current service charges become delinquent for sixty (60) days, the District may discontinue water service to the customer no less than seven (7) business days after posting a final notice of intent to discontinue services at the residence.

b. Amortization.

- i. If approved by the District, a customer's repayment of his or her unpaid balance may be amortized over a period not to exceed twelve (12) months, as determined by the District. The District shall divide the unpaid balance by the number of months in the amortization period. The amount will be added to the customer's monthly service bill over the amortization period until fully paid.
- ii. The amortization schedule and amounts due shall be set forth in writing and provided to the customer.
- iii. During the amortization period, the customer must comply with the amortization schedule and remain current on water service charges accruing during any subsequent billing period.

- iv. If the customer fails to pay an amortized amount due by the schedule date or current service charges become delinquent for sixty (60) days, the District may discontinue water service to the customer no less than seven (7) business days after posting a final notice of intent to discontinue services at the residence.

9. Process for Appealing a Bill.

- a. General Bill Appeal. Customers may submit a written petition to appeal a service bill to the District within ten (10) days of receiving the disputed bill. For purposes of this section only, a customer bill is deemed received five (5) days after mailing. Customers may submit the petition via writing or over the phone.
- b. 7-Day Notice Appeal. A customer who receives a 7-Day Notice described in Section 5(c) of this Policy may submit a petition to appeal the service bill to which the notice relates within seven (7) business days of the date of the notice. Customers may submit the petition via writing or over the phone.
- c. Appeal Process.
 - i. After receiving a timely written request appealing a bill, the District will conduct a review of the bill. This review may include consideration of whether the customer can receive an alternate payment schedule, a payment reduction, or an amortization. The District will then provide a written determination to the customer. In its discretion, the District may review untimely petitions; however, such petitions are not subject to appeal.
 - ii. If the customer finds the District's decision unsatisfactory, the customer may appeal the determination to the District's Board of Directors. The customer must file a written notice of appeal at the District office within ten (10) business days of the District's mailing of its determination. The District will review and decide on the matter at an upcoming Board meeting. The District shall mail the customer written notice of the time and place of the Board meeting at least ten (10) days before the meeting. The customer may address the Board at this meeting regarding the appeal. The decision of the Board is final.

10. Customers with Household Income Below 200 Percent of the Federal Poverty Line. The following shall apply to a residential customer who demonstrates to the District a household income below 200 percent of the federal poverty line:

- a. Reconnection of Service Fee. The reconnection of service fee for reconnection during normal business hours shall be fifty dollars (\$50), but not to exceed the actual cost of reconnection if it is less.

- b. Waiver of Interest Charges. The District shall waive interest charges on delinquent bills once every twelve (12) months.
- c. Residential Customers with a Household Income Below 200 percent of the Federal Poverty Line. A customer shall be deemed to have a household income below 200 percent of the federal poverty line if any member of the household is a current recipient of CalWORKs, CalFresh, general assistance, Medi-Cal, Supplemental Security Income/State Supplementary Payment Program, or California Special Supplemental Nutrition Program for Women, Infants, and Children, or the customer declares that the household's annual income is less than 200 percent of the federal poverty level.

11. Reconnection Process.

- a. Payments. Reconnection is subject to payment of all amounts due on the delinquent account, including any applicable fees, and a security deposit.
- b. Requirements. Customers with water services that have been discontinued may contact the District by phone or in person regarding requirements for reconnection.

12. Customer Responsibility When Service is Discontinued. In the event a customer's residential water service is discontinued as a result of voluntary termination, failure to pay delinquent bills, or any other reason covered by this Policy, it shall be the customer's responsibility to take necessary precautions against any and all damage to the customer's pipes, fixtures, and appliances which could result from such discontinuation. The District shall not be liable for any such damage.